

Union Calendar No. 242

110TH CONGRESS
1ST SESSION

H. R. 1483

[Report No. 110-388]

To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2007

Mr. REGULA (for himself, Mr. TIERNEY, Mr. McNULTY, Mr. DOYLE, Mr. RYAN of Ohio, Mr. HALL of New York, Mr. SPACE, Mr. BROWN of South Carolina, Mr. BOSWELL, Mr. WAMP, Ms. KAPTUR, Mr. LATHAM, Mr. GORDON of Tennessee, Mr. HINCHEY, Mr. MEEHAN, Ms. SUTTON, Mr. BRALEY of Iowa, and Mr. WILSON of South Carolina) introduced the following bill; which was referred to the Committee on Natural Resources

OCTOBER 18, 2007

Additional sponsors: Mr. CLYBURN, Mr. BARRETT of South Carolina, Mrs. JONES of Ohio, Mr. LATOURETTE, and Mr. KUCINICH

OCTOBER 18, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on March 12, 2007]

A BILL

To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Celebrating America’s*
 5 *Heritage Act”.*

6 **SEC. 2. TABLE OF CONTENTS.**

7 *The table of contents is as follows:*

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—AUTHORIZATION EXTENSIONS AND VIABILITY STUDIES

Sec. 1001. Extensions of authorized appropriations.

Sec. 1002. Evaluation and report.

TITLE II—ESTABLISHMENT OF NATIONAL HERITAGE AREAS

Subtitle A—Journey Through Hallowed Ground National Heritage Area

Sec. 2001. Short title; table of contents.

Sec. 2002. Purposes.

Sec. 2003. Definitions.

Sec. 2004. Designation of the Journey Through Hallowed Ground National Herit-
age Area.

Sec. 2005. Management plan.

Sec. 2006. Evaluation; report.

Sec. 2007. Local coordinating entity.

Sec. 2008. Relationship to other Federal agencies.

Sec. 2009. Private property and regulatory protections.

Sec. 2010. Authorization of appropriations.

Sec. 2011. Use of Federal funds from other sources.

Sec. 2012. Sunset for grants and other assistance.

Subtitle B—Niagara Falls National Heritage Area

Sec. 2021. Short title; table of contents.

Sec. 2022. Purposes.

Sec. 2023. Definitions.

Sec. 2024. Designation of the Niagara Falls National Heritage Area.

Sec. 2025. Management plan.

Sec. 2026. Evaluation; report.

Sec. 2027. Local coordinating entity.

Sec. 2028. Niagara Falls Heritage Area Commission.

Sec. 2029. Relationship to other Federal agencies.

Sec. 2030. Private property and regulatory protections.

Sec. 2031. Authorization of appropriations.

Sec. 2032. Use of Federal funds from other sources.

Sec. 2033. Sunset for grants and other assistance.

Subtitle C—Muscle Shoals National Heritage Area

- Sec. 2041. Short title; table of contents.*
- Sec. 2042. Purposes.*
- Sec. 2043. Definitions.*
- Sec. 2044. Designation of Muscle Shoals National Heritage Area.*
- Sec. 2045. Management plan.*
- Sec. 2046. Evaluation; report.*
- Sec. 2047. Local coordinating entity.*
- Sec. 2048. Relationship to other Federal agencies.*
- Sec. 2049. Private property and regulatory protections.*
- Sec. 2050. Authorization of appropriations.*
- Sec. 2051. Use of Federal funds from other sources.*
- Sec. 2052. Sunset for grants and other assistance.*

Subtitle D—Freedom’s Way National Heritage Area

- Sec. 2061. Short title; table of contents.*
- Sec. 2062. Purposes.*
- Sec. 2063. Definitions.*
- Sec. 2064. Designation of Freedom’s Way National Heritage Area.*
- Sec. 2065. Management plan.*
- Sec. 2066. Evaluation; report.*
- Sec. 2067. Local coordinating entity.*
- Sec. 2068. Relationship to other Federal agencies.*
- Sec. 2069. Private property and regulatory protections.*
- Sec. 2070. Authorization of appropriations.*
- Sec. 2071. Use of Federal funds from other sources.*
- Sec. 2072. Sunset for grants and other assistance.*

Subtitle E—Abraham Lincoln National Heritage Area

- Sec. 2081. Short title; table of contents.*
- Sec. 2082. Purposes.*
- Sec. 2083. Definitions.*
- Sec. 2084. Designation of Abraham Lincoln National Heritage Area.*
- Sec. 2085. Management plan.*
- Sec. 2086. Evaluation; report.*
- Sec. 2087. Local coordinating entity.*
- Sec. 2088. Relationship to other Federal agencies.*
- Sec. 2089. Private property and regulatory protections.*
- Sec. 2090. Authorization of appropriations.*
- Sec. 2091. Use of Federal funds from other sources.*
- Sec. 2092. Sunset for grants and other assistance.*

Subtitle F—Santa Cruz Valley National Heritage Area

- Sec. 2111. Short title; table of contents.*
- Sec. 2112. Purposes.*
- Sec. 2113. Definitions.*
- Sec. 2114. Designation of Santa Cruz Valley National Heritage Area.*
- Sec. 2115. Management plan.*
- Sec. 2116. Evaluation; report.*
- Sec. 2117. Local coordinating entity.*
- Sec. 2118. Relationship to other Federal agencies.*
- Sec. 2119. Private property and regulatory protections.*
- Sec. 2120. Authorization of appropriations.*

Sec. 2121. Use of Federal funds from other sources.

Sec. 2122. Sunset for grants and other assistance.

TITLE III—STUDY

Sec. 3001. Study and report of proposed Northern Neck National Heritage Area.

TITLE IV—TECHNICAL CORRECTIONS AND ADDITIONS

Sec. 4001. National Coal Heritage Area technical corrections.

Sec. 4002. Rivers of steel national heritage area addition.

Sec. 4003. South Carolina National Heritage Corridor addition.

Sec. 4004. Ohio and Erie Canal National Heritage Corridor technical corrections.

Sec. 4005. New Jersey Coastal Heritage trail route extension of authorization.

Sec. 4006. Erie Canalway National Heritage Corridor technical corrections.

TITLE V—SENSE OF CONGRESS REGARDING FUNDING

Sec. 5001. Sense of Congress Regarding Funding.

1 **TITLE I—AUTHORIZATION EX-**
 2 **TENSIONS AND VIABILITY**
 3 **STUDIES**

4 **SEC. 1001. EXTENSIONS OF AUTHORIZED APPROPRIATIONS.**

5 *Division II of the Omnibus Parks and Public Lands*
 6 *Management Act of 1996 (Public Law 104–333; 16 U.S.C.*
 7 *461 note) is amended in each of sections 108(a), 209(a),*
 8 *311(a), 409(a), 508(a), 608(a), 708(a), 810(a) (as redesi-*
 9 *gnated by this Act), and 909(c), by striking “\$10,000,000”*
 10 *and inserting “\$15,000,000”.*

11 **SEC. 1002. EVALUATION AND REPORT.**

12 *(a) IN GENERAL.—For the nine National Heritage*
 13 *Areas authorized in Division II of the Omnibus Parks and*
 14 *Public Lands Management Act of 1996, not later than 3*
 15 *years before the date on which authority for Federal fund-*
 16 *ing terminates for each National Heritage Area, the Sec-*
 17 *retary shall—*

1 (1) *conduct an evaluation of the accomplish-*
2 *ments of the National Heritage Area; and*

3 (2) *prepare a report in accordance with sub-*
4 *section (c).*

5 (b) *EVALUATION.—An evaluation conducted under*
6 *subsection (a)(1) shall—*

7 (1) *assess the progress of the local management*
8 *entity with respect to—*

9 (A) *accomplishing the purposes of the au-*
10 *thorizing legislation for the National Heritage*
11 *Area; and*

12 (B) *achieving the goals and objectives of the*
13 *approved management plan for the National*
14 *Heritage Area;*

15 (2) *analyze the investments of Federal, State,*
16 *Tribal, and local government and private entities in*
17 *each National Heritage Area to determine the impact*
18 *of the investments; and*

19 (3) *review the management structure, partner-*
20 *ship relationships, and funding of the National Herit-*
21 *age Area for purposes of identifying the critical com-*
22 *ponents for sustainability of the National Heritage*
23 *Area.*

24 (c) *REPORT.—Based on the evaluation conducted*
25 *under subsection (a)(1), the Secretary shall submit a report*

1 *to the Committee on Natural Resources of the United States*
 2 *House of Representatives and the Committee on Energy and*
 3 *Natural Resources of the Senate. The report shall include*
 4 *recommendations for the future role of the National Park*
 5 *Service, if any, with respect to the National Heritage Area.*

6 ***TITLE II—ESTABLISHMENT OF***
 7 ***NATIONAL HERITAGE AREAS***
 8 ***Subtitle A—Journey Through Hal-***
 9 ***lowed Ground National Heritage***
 10 ***Area***

11 ***SEC. 2001. SHORT TITLE; TABLE OF CONTENTS.***

12 (a) *SHORT TITLE.*—*This subtitle may be cited as the*
 13 *“Journey Through Hallowed Ground National Heritage*
 14 *Area Act”.*

15 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 16 *subtitle is as follows:*

Sec. 2001. Short title; table of contents.

Sec. 2002. Purposes.

Sec. 2003. Definitions.

Sec. 2004. Designation of the Journey Through Hallowed Ground National Herit-
age Area.

Sec. 2005. Management plan.

Sec. 2006. Evaluation; report.

Sec. 2007. Local coordinating entity.

Sec. 2008. Relationship to other Federal agencies.

Sec. 2009. Private property and regulatory protections.

Sec. 2010. Authorization of appropriations.

Sec. 2011. Use of Federal funds from other sources.

Sec. 2012. Sunset for grants and other assistance.

17 ***SEC. 2002. PURPOSES.***

18 (a) *The purposes of this subtitle include—*

1 (1) to recognize the national importance of the
2 natural and cultural legacies of the area, as dem-
3 onstrated in the study entitled “*The Journey Through*
4 *Hallowed Ground National Heritage Area Feasibility*
5 *Study*” dated September 2006;

6 (2) to preserve, support, conserve, and interpret
7 the legacy of the American history created along the
8 *National Heritage Area*;

9 (3) to promote heritage, cultural and rec-
10 reational tourism and to develop educational and cul-
11 tural programs for visitors and the general public;

12 (4) to recognize and interpret important events
13 and geographic locations representing key develop-
14 ments in the creation of America, including Native
15 American, Colonial American, European American,
16 and African American heritage;

17 (5) to recognize and interpret the effect of the
18 Civil War on the civilian population of the National
19 Heritage Area during the war and post-war recon-
20 struction period;

21 (6) to enhance a cooperative management frame-
22 work to assist the Commonwealth of Virginia, the
23 State of Maryland, the Commonwealth of Pennsyl-
24 vania, the State of West Virginia, and their units of
25 local government, the private sector, and citizens re-

1 *siding in the National Heritage Area in conserving,*
2 *supporting, enhancing, and interpreting the signifi-*
3 *cant historic, cultural and recreational sites in the*
4 *National Heritage Area; and*

5 *(7) to provide appropriate linkages among units*
6 *of the National Park System within and surrounding*
7 *the National Heritage Area, to protect, enhance, and*
8 *interpret resources outside of park boundaries.*

9 **SEC. 2003. DEFINITIONS.**

10 *In this subtitle—*

11 *(1) NATIONAL HERITAGE AREA.—The term “Na-*
12 *tional Heritage Area” means the Journey Through*
13 *Hallowed Ground National Heritage Area established*
14 *in this subtitle.*

15 *(2) LOCAL COORDINATING ENTITY.—The term*
16 *“local coordinating entity” means the Journey*
17 *Through Hallowed Ground Partnership, a Virginia*
18 *non-profit, which is hereby designated by Congress—*

19 *(A) to develop, in partnership with others,*
20 *the management plan for the National Heritage*
21 *Area; and*

22 *(B) to act as a catalyst for the implementa-*
23 *tion of projects and programs among diverse*
24 *partners in the National Heritage Area.*

1 (3) *MANAGEMENT PLAN.*—The term “manage-
2 ment plan” means the plan prepared by the local co-
3 ordinating entity for the National Heritage Area that
4 specifies actions, policies, strategies, performance
5 goals, and recommendations to meet the goals of the
6 National Heritage Area, in accordance with this sub-
7 title.

8 (4) *SECRETARY.*—The term “Secretary” means
9 the Secretary of the Interior.

10 **SEC. 2004. DESIGNATION OF THE JOURNEY THROUGH HAL-**
11 **LOWED GROUND NATIONAL HERITAGE AREA.**

12 (a) *ESTABLISHMENT.*—There is hereby established the
13 *Journey Through Hallowed Ground National Heritage*
14 *Area.*

15 (b) *BOUNDARIES.*—

16 (1) *IN GENERAL.*—The Heritage Area shall con-
17 sist of the 175-mile region generally following the
18 Route 15 corridor and surrounding areas from
19 Adams County, Pennsylvania, through Frederick
20 County, Maryland, including the Heart of the Civil
21 War Maryland State Heritage Area, looping through
22 Brunswick, Maryland, to Harpers Ferry, West Vir-
23 ginia, back through Loudoun County, Virginia, to the
24 Route 15 corridor and surrounding areas encom-
25 passing portions of Loudoun and Prince William

1 *Counties, Virginia, then Fauquier County, Virginia,*
2 *portions of Spotsylvania and Madison Counties, Vir-*
3 *ginia, and Culpepper, Rappahannock, Orange, and*
4 *Albemarle Counties, Virginia.*

5 (2) *MAP.—The boundaries of the National Herit-*
6 *age Area shall include all of those lands and interests*
7 *as generally depicted on the map titled “Journey*
8 *Through Hallowed Ground National Heritage Area”,*
9 *numbered P90/80,000, and dated October 2006. The*
10 *map shall be on file and available to the public in the*
11 *appropriate offices of the National Park Service and*
12 *the local coordinating entity.*

13 **SEC. 2005. MANAGEMENT PLAN.**

14 (a) *REQUIREMENTS.—The management plan for the*
15 *National Heritage Area shall—*

16 (1) *describe comprehensive policies, goals, strate-*
17 *gies, and recommendations for telling the story of the*
18 *heritage of the area covered by the National Heritage*
19 *Area and encouraging long-term resource protection,*
20 *enhancement, interpretation, funding, management,*
21 *and development of the National Heritage Area;*

22 (2) *include a description of actions and commit-*
23 *ments that Federal, State, Tribal, and local govern-*
24 *ments, private organizations, and citizens will take to*
25 *protect, enhance, interpret, fund, manage, and develop*

1 *the natural, historical, cultural, educational, scenic,*
2 *and recreational resources of the National Heritage*
3 *Area;*

4 (3) *specify existing and potential sources of*
5 *funding or economic development strategies to protect,*
6 *enhance, interpret, fund, manage, and develop the Na-*
7 *tional Heritage Area;*

8 (4) *include an inventory of the natural, histor-*
9 *ical, cultural, educational, scenic, and recreational re-*
10 *sources of the National Heritage Area related to the*
11 *national importance and themes of the National Her-*
12 *itage Area that should be protected, enhanced, inter-*
13 *preted, managed, funded, and developed;*

14 (5) *recommend policies and strategies for re-*
15 *source management, including the development of*
16 *intergovernmental and interagency agreements to pro-*
17 *tect, enhance, interpret, fund, manage, and develop*
18 *the natural, historical, cultural, educational, scenic,*
19 *and recreational resources of the National Heritage*
20 *Area;*

21 (6) *describe a program for implementation for*
22 *the management plan, including—*

23 (A) *performance goals;*

1 (B) plans for resource protection, enhance-
2 ment, interpretation, funding, management, and
3 development; and

4 (C) specific commitments for implementa-
5 tion that have been made by the local coordi-
6 nating entity or any Federal, State, Tribal or
7 local government agency, organization, business,
8 or individual;

9 (7) include an analysis of, and recommendations
10 for, means by which Federal, State, Tribal, and local
11 programs may best be coordinated (including the role
12 of the National Park Service and other Federal agen-
13 cies associated with the National Heritage Area) to
14 further the purposes of this subtitle; and

15 (8) include a business plan that—

16 (A) describes the role, operation, financing,
17 and functions of the local coordinating entity
18 and of each of the major activities contained in
19 the management plan; and

20 (B) provides adequate assurances that the
21 local coordinating entity has the partnerships
22 and financial and other resources necessary to
23 implement the management plan for the Na-
24 tional Heritage Area.

25 (b) DEADLINE.—

1 (1) *IN GENERAL.*—Not later than 3 years after
2 the date on which funds are first made available to
3 develop the management plan after designation as a
4 National Heritage Area, the local coordinating entity
5 shall submit the management plan to the Secretary
6 for approval.

7 (2) *TERMINATION OF FUNDING.*—If the manage-
8 ment plan is not submitted to the Secretary in ac-
9 cordance with paragraph (1), the local coordinating
10 entity shall not qualify for any additional financial
11 assistance under this subtitle until such time as the
12 management plan is submitted to and approved by
13 the Secretary.

14 (c) *APPROVAL OF MANAGEMENT PLAN.*—

15 (1) *REVIEW.*—Not later than 180 days after re-
16 ceiving the plan, the Secretary shall review and ap-
17 prove or disapprove the management plan for a Na-
18 tional Heritage Area on the basis of the criteria estab-
19 lished under paragraph (3).

20 (2) *CONSULTATION.*—The Secretary shall consult
21 with the Governor of each State in which the National
22 Heritage Area is located before approving a manage-
23 ment plan for the National Heritage Area.

24 (3) *CRITERIA FOR APPROVAL.*—In determining
25 whether to approve a management plan for a Na-

1 *tional Heritage Area, the Secretary shall consider*
2 *whether—*

3 *(A) the local coordinating entity represents*
4 *the diverse interests of the National Heritage*
5 *Area, including Federal, State, Tribal, and local*
6 *governments, natural, and historic resource pro-*
7 *tection organizations, educational institutions,*
8 *businesses, recreational organizations, commu-*
9 *nity residents, and private property owners;*

10 *(B) the local coordinating entity—*

11 *(i) has afforded adequate opportunity*
12 *for public and Federal, State, Tribal, and*
13 *local governmental involvement (including*
14 *through workshops and hearings) in the*
15 *preparation of the management plan; and*

16 *(ii) provides for at least semiannual*
17 *public meetings to ensure adequate imple-*
18 *mentation of the management plan;*

19 *(C) the resource protection, enhancement,*
20 *interpretation, funding, management, and devel-*
21 *opment strategies described in the management*
22 *plan, if implemented, would adequately protect,*
23 *enhance, interpret, fund, manage, and develop*
24 *the natural, historic, cultural, educational, sce-*

1 *nic, and recreational resources of the National*
2 *Heritage Area;*

3 *(D) the management plan would not ad-*
4 *versely affect any activities authorized on Fed-*
5 *eral land under public land laws or land use*
6 *plans;*

7 *(E) the local coordinating entity has dem-*
8 *onstrated the financial capability, in partner-*
9 *ship with others, to carry out the plan;*

10 *(F) the Secretary has received adequate as-*
11 *surances from the appropriate State, Tribal, and*
12 *local officials whose support is needed to ensure*
13 *the effective implementation of the State, Tribal,*
14 *and local elements of the management plan; and*

15 *(G) the management plan demonstrates*
16 *partnerships among the local coordinating enti-*
17 *ty, Federal, State, Tribal, and local governments,*
18 *regional planning organizations, nonprofit orga-*
19 *nizations, or private sector parties for implemen-*
20 *tation of the management plan.*

21 *(4) DISAPPROVAL.—*

22 *(A) IN GENERAL.—If the Secretary dis-*
23 *approves the management plan, the Secretary—*

1 (i) shall advise the local coordinating
2 entity in writing of the reasons for the dis-
3 approval; and

4 (ii) may make recommendations to the
5 local coordinating entity for revisions to the
6 management plan.

7 (B) *DEADLINE.*—Not later than 180 days
8 after receiving a revised management plan, the
9 Secretary shall approve or disapprove the revised
10 management plan.

11 (5) *AMENDMENTS.*—

12 (A) *IN GENERAL.*—An amendment to the
13 management plan that substantially alters the
14 purposes of the National Heritage Area shall be
15 reviewed by the Secretary and approved or dis-
16 approved in the same manner as the original
17 management plan.

18 (B) *IMPLEMENTATION.*—The local coordi-
19 nating entity shall not use Federal funds author-
20 ized by this subtitle to implement an amendment
21 to the management plan until the Secretary ap-
22 proves the amendment.

23 (6) *AUTHORITIES.*—The Secretary may—

1 (A) provide technical assistance under the
2 authority of this subtitle for the development and
3 implementation of the management plan; and

4 (B) enter into cooperative agreements with
5 interested parties to carry out this subtitle.

6 **SEC. 2006. EVALUATION; REPORT.**

7 (a) *IN GENERAL.*—Not later than 3 years before the
8 date on which authority for Federal funding terminates for
9 the National Heritage Area under this subtitle, the Sec-
10 retary shall—

11 (1) conduct an evaluation of the accomplish-
12 ments of the National Heritage Area; and

13 (2) prepare a report in accordance with sub-
14 section (c).

15 (b) *EVALUATION.*—An evaluation conducted under
16 subsection (a)(1) shall—

17 (1) assess the progress of the local coordinating
18 entity with respect to—

19 (A) accomplishing the purposes of the au-
20 thorizing legislation for the National Heritage
21 Area; and

22 (B) achieving the goals and objectives of the
23 approved management plan for the National
24 Heritage Area;

1 (2) *analyze the Federal, State, Tribal, local, and*
2 *private investments in the National Heritage Area to*
3 *determine the impact of the investments; and*

4 (3) *review the management structure, partner-*
5 *ship relationships, and funding of the National Herit-*
6 *age Area for purposes of identifying the critical com-*
7 *ponents for sustainability of the National Heritage*
8 *Area.*

9 (c) *REPORT.—Based on the evaluation conducted*
10 *under subsection (a)(1), the Secretary shall submit a report*
11 *to the Committee on Natural Resources of the United States*
12 *House of Representatives and the Committee on Energy and*
13 *Natural Resources of the United States Senate. The report*
14 *shall include recommendations for the future role of the Na-*
15 *tional Park Service, if any, with respect to the National*
16 *Heritage Area.*

17 **SEC. 2007. LOCAL COORDINATING ENTITY.**

18 (a) *DUTIES.—To further the purposes of the National*
19 *Heritage Area, the Journey Through Hallowed Ground*
20 *Partnership, as the local coordinating entity, shall—*

21 (1) *prepare a management plan for the National*
22 *Heritage Area, and submit the management plan to*
23 *the Secretary, in accordance with this subtitle;*

24 (2) *submit an annual report to the Secretary for*
25 *each fiscal year for which the local coordinating enti-*

1 *ty receives Federal funds under this subtitle, speci-*
2 *fying—*

3 *(A) the specific performance goals and ac-*
4 *complishments of the local coordinating entity;*

5 *(B) the expenses and income of the local co-*
6 *ordinating entity;*

7 *(C) the amounts and sources of matching*
8 *funds;*

9 *(D) the amounts leveraged with Federal*
10 *funds and sources of the leveraging; and*

11 *(E) grants made to any other entities dur-*
12 *ing the fiscal year;*

13 *(3) make available for audit for each fiscal year*
14 *for which the local coordinating entity receives Fed-*
15 *eral funds under this subtitle, all information per-*
16 *taining to the expenditure of the funds and any*
17 *matching funds; and*

18 *(4) encourage economic viability and sustain-*
19 *ability that is consistent with the purposes of the Na-*
20 *tional Heritage Area.*

21 *(b) AUTHORITIES.—For the purposes of preparing and*
22 *implementing the approved management plan for the Na-*
23 *tional Heritage Area, the local coordinating entity may use*
24 *Federal funds made available under this subtitle to—*

1 (1) *make grants to political jurisdictions, non-*
2 *profit organizations, and other parties within the Na-*
3 *tional Heritage Area;*

4 (2) *enter into cooperative agreements with or*
5 *provide technical assistance to political jurisdictions,*
6 *nonprofit organizations, Federal agencies, and other*
7 *interested parties;*

8 (3) *hire and compensate staff, including individ-*
9 *uals with expertise in—*

10 (A) *natural, historical, cultural, edu-*
11 *cational, scenic, and recreational resource con-*
12 *servation;*

13 (B) *economic and community development;*

14 *and*

15 (C) *heritage planning;*

16 (4) *obtain funds or services from any source, in-*
17 *cluding other Federal programs;*

18 (5) *contract for goods or services; and*

19 (6) *support activities of partners and any other*
20 *activities that further the purposes of the National*
21 *Heritage Area and are consistent with the approved*
22 *management plan.*

23 (c) *PROHIBITION ON ACQUISITION OF REAL PROP-*

24 *ERTY.—The local coordinating entity may not use Federal*

1 *funds authorized under this subtitle to acquire any interest*
2 *in real property.*

3 **SEC. 2008. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

4 (a) *IN GENERAL.*—*Nothing in this subtitle affects the*
5 *authority of a Federal agency to provide technical or finan-*
6 *cial assistance under any other law.*

7 (b) *CONSULTATION AND COORDINATION.*—*The head of*
8 *any Federal agency planning to conduct activities that may*
9 *have an impact on a National Heritage Area is encouraged*
10 *to consult and coordinate the activities with the Secretary*
11 *and the local coordinating entity to the maximum extent*
12 *practicable.*

13 (c) *OTHER FEDERAL AGENCIES.*—*Nothing in this sub-*
14 *title—*

15 (1) *modifies, alters, or amends any law or regu-*
16 *lation authorizing a Federal agency to manage Fed-*
17 *eral land under the jurisdiction of the Federal agency;*

18 (2) *limits the discretion of a Federal land man-*
19 *ager to implement an approved land use plan within*
20 *the boundaries of a National Heritage Area; or*

21 (3) *modifies, alters, or amends any authorized*
22 *use of Federal land under the jurisdiction of a Fed-*
23 *eral agency.*

1 **SEC. 2009. PRIVATE PROPERTY AND REGULATORY PROTEC-**
2 **TIONS.**

3 *Nothing in this subtitle—*

4 *(1) abridges the rights of any property owner*
5 *(whether public or private), including the right to re-*
6 *frain from participating in any plan, project, pro-*
7 *gram, or activity conducted within the National Her-*
8 *itage Area;*

9 *(2) requires any property owner to permit public*
10 *access (including access by Federal, State, Tribal, or*
11 *local agencies) to the property of the property owner,*
12 *or to modify public access or use of property of the*
13 *property owner under any other Federal, State, Trib-*
14 *al, or local law;*

15 *(3) alters any duly adopted land use regulation,*
16 *approved land use plan, or other regulatory authority*
17 *(such as the authority to make safety improvements*
18 *or increase the capacity of existing roads or to con-*
19 *struct new roads) of any Federal, State, Tribal, or*
20 *local agency, or conveys any land use or other regu-*
21 *latory authority to any local coordinating entity, in-*
22 *cluding but not necessarily limited to development*
23 *and management of energy or water or water-related*
24 *infrastructure;*

25 *(4) authorizes or implies the reservation or ap-*
26 *propriation of water or water rights;*

1 (5) *diminishes the authority of the State to man-*
2 *age fish and wildlife, including the regulation of fish-*
3 *ing and hunting within the National Heritage Area;*
4 *or*

5 (6) *creates any liability, or affects any liability*
6 *under any other law, of any private property owner*
7 *with respect to any person injured on the private*
8 *property.*

9 **SEC. 2010. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) *AUTHORIZATION OF APPROPRIATIONS.—Subject to*
11 *subsection (b), there are authorized to be appropriated to*
12 *carry out this subtitle not more than \$1,000,000 for any*
13 *fiscal year. Funds so appropriated shall remain available*
14 *until expended.*

15 (b) *LIMITATION ON TOTAL AMOUNTS APPRO-*
16 *PRIATED.—Not more than \$15,000,000 may be appro-*
17 *priated to carry out this subtitle.*

18 (c) *COST-SHARING REQUIREMENT.—The Federal*
19 *share of the total cost of any activity under this subtitle*
20 *shall be not more than 50 percent; the non-Federal contribu-*
21 *tion may be in the form of in-kind contributions of goods*
22 *or services fairly valued.*

23 **SEC. 2011. USE OF FEDERAL FUNDS FROM OTHER SOURCES.**

24 *Nothing in this subtitle shall preclude the local coordi-*
25 *nating entity from using Federal funds available under*

1 *other laws for the purposes for which those funds were au-*
 2 *thorized.*

3 **SEC. 2012. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

4 *The authority of the Secretary to provide financial as-*
 5 *sistance under this subtitle terminates on the date that is*
 6 *15 years after the date of enactment of this subtitle.*

7 ***Subtitle B—Niagara Falls National***
 8 ***Heritage Area***

9 **SEC. 2021. SHORT TITLE; TABLE OF CONTENTS.**

10 (a) *SHORT TITLE.*—*This subtitle may be cited as the*
 11 *“Niagara Falls National Heritage Area Act”.*

12 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 13 *subtitle is as follows:*

Sec. 2021. Short title; table of contents.

Sec. 2022. Purposes.

Sec. 2023. Definitions.

Sec. 2024. Designation of the Niagara Falls National Heritage Area.

Sec. 2025. Management plan.

Sec. 2026. Evaluation; report.

Sec. 2027. Local coordinating entity.

Sec. 2028. Niagara Falls Heritage Area Commission.

Sec. 2029. Relationship to other Federal agencies.

Sec. 2030. Private property and regulatory protections.

Sec. 2031. Authorization of appropriations.

Sec. 2032. Use of Federal funds from other sources.

Sec. 2033. Sunset for grants and other assistance.

14 **SEC. 2022. PURPOSES.**

15 (a) *The purposes of this subtitle include—*

16 (1) *to recognize the national importance of the*
 17 *natural and cultural legacies of the area, as dem-*
 18 *onstrated in the National Park Service study report*

1 entitled “Niagara National Heritage Area Study”
2 dated 2005;

3 (2) to preserve, support, conserve, and interpret
4 the natural, scenic, cultural, and historic resources
5 within the National Heritage Area;

6 (3) to promote heritage, cultural and rec-
7 reational tourism and to develop educational and cul-
8 tural programs for visitors and the general public;

9 (4) to recognize and interpret important events
10 and geographic locations representing key develop-
11 ments in American history and culture, including
12 Native American, Colonial American, European
13 American, and African American heritage;

14 (5) to enhance a cooperative management frame-
15 work to assist State, local, and Tribal governments,
16 the private sector, and citizens residing in the Na-
17 tional Heritage Area in conserving, supporting, en-
18 hancing, and interpreting the significant historic,
19 cultural, and recreational sites in the National Herit-
20 age Area;

21 (6) to conserve and interpret the history of the
22 development of hydroelectric power in the United
23 States and its role in developing the American econ-
24 omy; and

1 (7) *to provide appropriate linkages among units*
2 *of the National Park System within and surrounding*
3 *the National Heritage Area, to protect, enhance, and*
4 *interpret resources outside of park boundaries.*

5 **SEC. 2023. DEFINITIONS.**

6 *In this subtitle—*

7 (1) *NATIONAL HERITAGE AREA.—The term “Na-*
8 *tional Heritage Area” means the Niagara Falls Na-*
9 *tional Heritage Area established in this subtitle.*

10 (2) *LOCAL COORDINATING ENTITY.—The term*
11 *“local coordinating entity” means the local coordi-*
12 *nating entity for the National Heritage Area des-*
13 *ignated pursuant to this subtitle.*

14 (3) *MANAGEMENT PLAN.—The term “manage-*
15 *ment plan” means the plan prepared by the local co-*
16 *ordinating entity for the National Heritage Area that*
17 *specifies actions, policies, strategies, performance*
18 *goals, and recommendations to meet the goals of the*
19 *National Heritage Area, in accordance with this sub-*
20 *title.*

21 (4) *SECRETARY.—The term “Secretary” means*
22 *the Secretary of the Interior.*

23 (5) *COMMISSION.—The term “Commission”*
24 *means the Niagara Falls National Heritage Area*
25 *Commission established under this subtitle.*

1 **SEC. 2025. MANAGEMENT PLAN.**

2 (a) *REQUIREMENTS.*—*The management plan for the*
3 *National Heritage Area shall—*

4 (1) *describe comprehensive policies, goals, strate-*
5 *gies, and recommendations for telling the story of the*
6 *heritage of the area covered by the National Heritage*
7 *Area and encouraging long-term resource protection,*
8 *enhancement, interpretation, funding, management,*
9 *and development of the National Heritage Area;*

10 (2) *include a description of actions and commit-*
11 *ments that Federal, State, Tribal, and local govern-*
12 *ments, private organizations, and citizens will take to*
13 *protect, enhance, interpret, fund, manage, and develop*
14 *the natural, historical, cultural, educational, scenic,*
15 *and recreational resources of the National Heritage*
16 *Area;*

17 (3) *specify existing and potential sources of*
18 *funding or economic development strategies to protect,*
19 *enhance, interpret, fund, manage, and develop the Na-*
20 *tional Heritage Area;*

21 (4) *include an inventory of the natural, histor-*
22 *ical, cultural, educational, scenic, and recreational re-*
23 *sources of the National Heritage Area related to the*
24 *national importance and themes of the National Her-*
25 *itage Area that should be protected, enhanced, inter-*
26 *preted, managed, funded, and developed;*

1 (5) *recommend policies and strategies for re-*
2 *source management, including the development of*
3 *intergovernmental and interagency agreements to pro-*
4 *tect, enhance, interpret, fund, manage, and develop*
5 *the natural, historical, cultural, educational, scenic,*
6 *and recreational resources of the National Heritage*
7 *Area;*

8 (6) *describe a program for implementation for*
9 *the management plan, including—*

10 (A) *performance goals;*

11 (B) *plans for resource protection, enhance-*
12 *ment, interpretation, funding, management, and*
13 *development; and*

14 (C) *specific commitments for implementa-*
15 *tion that have been made by the local coordi-*
16 *inating entity or any Federal, State, Tribal, or*
17 *local government agency, organization, business,*
18 *or individual;*

19 (7) *include an analysis of, and recommendations*
20 *for, means by which Federal, State, Tribal, and local*
21 *programs may best be coordinated (including the role*
22 *of the National Park Service and other Federal agen-*
23 *cies associated with the National Heritage Area) to*
24 *further the purposes of this subtitle; and*

25 (8) *include a business plan that—*

1 (A) describes the role, operation, financing,
2 and functions of the local coordinating entity
3 and of each of the major activities contained in
4 the management plan; and

5 (B) provides adequate assurances that the
6 local coordinating entity has the partnerships
7 and financial and other resources necessary to
8 implement the management plan for the Na-
9 tional Heritage Area.

10 (b) DEADLINE.—

11 (1) IN GENERAL.—Not later than 3 years after
12 the date on which funds are first made available to
13 develop the management plan after designation as a
14 National Heritage Area, the local coordinating entity
15 shall submit the management plan to the Secretary
16 for approval.

17 (2) TERMINATION OF FUNDING.—If the manage-
18 ment plan is not submitted to the Secretary in ac-
19 cordance with paragraph (1), the local coordinating
20 entity shall not qualify for any additional financial
21 assistance under this subtitle until such time as the
22 management plan is submitted to and approved by
23 the Secretary.

24 (c) APPROVAL OF MANAGEMENT PLAN.—

1 (1) *REVIEW.*—Not later than 180 days after re-
2 ceiving the plan, the Secretary shall review and ap-
3 prove or disapprove the management plan for a Na-
4 tional Heritage Area on the basis of the criteria estab-
5 lished under paragraph (3).

6 (2) *CONSULTATION.*—The Secretary shall consult
7 with the Governor before approving a management
8 plan for the National Heritage Area.

9 (3) *CRITERIA FOR APPROVAL.*—In determining
10 whether to approve a management plan for a Na-
11 tional Heritage Area, the Secretary shall consider
12 whether—

13 (A) the local coordinating entity represents
14 the diverse interests of the National Heritage
15 Area, including Federal, State, Tribal, and local
16 governments, natural and historic resource pro-
17 tection organizations, educational institutions,
18 businesses, recreational organizations, commu-
19 nity residents, and private property owners;

20 (B) the local coordinating entity—

21 (i) has afforded adequate opportunity
22 for public and Federal, State, Tribal, and
23 local governmental involvement (including
24 through workshops and hearings) in the
25 preparation of the management plan; and

1 (ii) provides for at least semiannual
2 public meetings to ensure adequate imple-
3 mentation of the management plan;

4 (C) the resource protection, enhancement,
5 interpretation, funding, management, and devel-
6 opment strategies described in the management
7 plan, if implemented, would adequately protect,
8 enhance, interpret, fund, manage, and develop
9 the natural, historic, cultural, educational, sce-
10 nic, and recreational resources of the National
11 Heritage Area;

12 (D) the management plan would not ad-
13 versely affect any activities authorized on Fed-
14 eral land under public land laws or land use
15 plans;

16 (E) the local coordinating entity has dem-
17 onstrated the financial capability, in partner-
18 ship with others, to carry out the plan;

19 (F) the Secretary has received adequate as-
20 surances from the appropriate State, Tribal, and
21 local officials whose support is needed to ensure
22 the effective implementation of the State, Tribal,
23 and local elements of the management plan; and

24 (G) the management plan demonstrates
25 partnerships among the local coordinating enti-

1 *ty, Federal, State, Tribal, and local governments,*
2 *regional planning organizations, nonprofit orga-*
3 *nizations, or private sector parties for implemen-*
4 *tation of the management plan.*

5 (4) *DISAPPROVAL.*—

6 (A) *IN GENERAL.*—*If the Secretary dis-*
7 *approves the management plan, the Secretary—*

8 (i) *shall advise the local coordinating*
9 *entity in writing of the reasons for the dis-*
10 *approval; and*

11 (ii) *may make recommendations to the*
12 *local coordinating entity for revisions to the*
13 *management plan.*

14 (B) *DEADLINE.*—*Not later than 180 days*
15 *after receiving a revised management plan, the*
16 *Secretary shall approve or disapprove the revised*
17 *management plan.*

18 (5) *AMENDMENTS.*—

19 (A) *IN GENERAL.*—*An amendment to the*
20 *management plan that substantially alters the*
21 *purposes of the National Heritage Area shall be*
22 *reviewed by the Secretary and approved or dis-*
23 *approved in the same manner as the original*
24 *management plan.*

1 (B) *IMPLEMENTATION.*—*The local coordi-*
2 *inating entity shall not use Federal funds author-*
3 *ized by this subtitle to implement an amendment*
4 *to the management plan until the Secretary ap-*
5 *proves the amendment.*

6 (6) *AUTHORITIES.*—*The Secretary may—*

7 (A) *provide technical assistance under the*
8 *authority of this subtitle for the development and*
9 *implementation of the management plan; and*

10 (B) *enter into cooperative agreements with*
11 *interested parties to carry out this subtitle*

12 **SEC. 2026. EVALUATION; REPORT.**

13 (a) *IN GENERAL.*—*Not later than 3 years before the*
14 *date on which authority for Federal funding terminates for*
15 *the National Heritage Area under this subtitle the Secretary*
16 *shall—*

17 (1) *conduct an evaluation of the accomplish-*
18 *ments of the National Heritage Area; and*

19 (2) *prepare a report in accordance with sub-*
20 *section (c).*

21 (b) *EVALUATION.*—*An evaluation conducted under*
22 *subsection (a)(1) shall—*

23 (1) *assess the progress of the local coordinating*
24 *entity with respect to—*

1 (A) accomplishing the purposes of the au-
2 thorizing legislation for the National Heritage
3 Area; and

4 (B) achieving the goals and objectives of the
5 approved management plan for the National
6 Heritage Area;

7 (2) analyze the Federal, State, Tribal, and local,
8 and private investments in the National Heritage
9 Area to determine the impact of the investments; and

10 (3) review the management structure, partner-
11 ship relationships, and funding of the National Herit-
12 age Area for purposes of identifying the critical com-
13 ponents for sustainability of the National Heritage
14 Area.

15 (c) *REPORT.*—Based on the evaluation conducted
16 under subsection (a)(1), the Secretary shall submit a report
17 to the Committee on Natural Resources of the United States
18 House of Representatives and the Committee on Energy and
19 Natural Resources of the United States Senate. The report
20 shall include recommendations for the future role of the Na-
21 tional Park Service, if any, with respect to the National
22 Heritage Area.

23 **SEC. 2027. LOCAL COORDINATING ENTITY.**

24 (a) *DESIGNATION.*—The local coordinating entity for
25 the Heritage Area shall be—

1 (1) *for the 5-year period beginning on the date*
2 *of enactment of this subtitle, the Commission; and*

3 (2) *on expiration of the 5-year period described*
4 *in subparagraph (1), a private nonprofit or govern-*
5 *mental organization designated by the Commission.*

6 (b) *DUTIES.—To further the purposes of the National*
7 *Heritage Area, the local coordinating entity, shall—*

8 (1) *prepare a management plan for the National*
9 *Heritage Area, and submit the management plan to*
10 *the Secretary, in accordance with this subtitle;*

11 (2) *submit an annual report to the Secretary for*
12 *each fiscal year for which the local coordinating enti-*
13 *ty receives Federal funds under this subtitle, speci-*
14 *fying—*

15 (A) *the specific performance goals and ac-*
16 *complishments of the local coordinating entity;*

17 (B) *the expenses and income of the local co-*
18 *ordinating entity;*

19 (C) *the amounts and sources of matching*
20 *funds;*

21 (D) *the amounts leveraged with Federal*
22 *funds and sources of the leveraging; and*

23 (E) *grants made to any other entities dur-*
24 *ing the fiscal year;*

1 (3) make available for audit for each fiscal year
2 for which the local coordinating entity receives Fed-
3 eral funds under this subtitle, all information per-
4 taining to the expenditure of the funds and any
5 matching funds;

6 (4) encourage economic viability and sustain-
7 ability that is consistent with the purposes of the Na-
8 tional Heritage Area; and

9 (5) coordinate projects, activities, and programs
10 with the Erie Canalway National Heritage Corridor.

11 (c) *AUTHORITIES.*—For the purposes of preparing and
12 implementing the approved management plan for the Na-
13 tional Heritage Area, the local coordinating entity may use
14 Federal funds made available under this subtitle to—

15 (1) make grants to political jurisdictions, non-
16 profit organizations, and other parties within the Na-
17 tional Heritage Area;

18 (2) enter into cooperative agreements with or
19 provide technical assistance to political jurisdictions,
20 nonprofit organizations, Federal agencies, and other
21 interested parties;

22 (3) hire and compensate staff, including individ-
23 uals with expertise in—

1 (A) *natural, historical, cultural, edu-*
2 *cational, scenic, and recreational resource con-*
3 *servation;*

4 (B) *economic and community development;*
5 *and*

6 (C) *heritage planning;*

7 (4) *obtain funds or services from any source, in-*
8 *cluding other Federal programs;*

9 (5) *contract for goods or services; and*

10 (6) *support activities of partners and any other*
11 *activities that further the purposes of the National*
12 *Heritage Area and are consistent with the approved*
13 *management plan.*

14 (d) *PROHIBITION ON ACQUISITION OF REAL PROP-*
15 *ERTY.—The local coordinating entity may not use Federal*
16 *funds authorized under this subtitle to acquire any interest*
17 *in real property.*

18 **SEC. 2028. NIAGARA FALLS HERITAGE AREA COMMISSION.**

19 (a) *ESTABLISHMENT.—There is established within the*
20 *Department of the Interior the Niagara Falls National Her-*
21 *itage Area Commission.*

22 (b) *MEMBERSHIP.—The Commission shall be com-*
23 *posed of 17 members, of whom—*

24 (1) *1 member shall be the Director of the Na-*
25 *tional Park Service (or a designee);*

1 (2) 5 members shall be appointed by the Sec-
2 retary, after consideration of the recommendation of
3 the Governor, from among individuals with knowledge
4 and experience of—

5 (A) the New York State Office of Parks,
6 Recreation and Historic Preservation, the Niag-
7 ara River Greenway Commission, the New York
8 Power Authority, the USA Niagara Development
9 Corporation, and the Niagara Tourism and Con-
10 vention Corporation; or

11 (B) any successors of the agencies described
12 in subparagraph (A);

13 (3) 1 member shall be appointed by the Sec-
14 retary, after consideration of the recommendation of
15 the mayor of Niagara Falls, New York;

16 (4) 1 member shall be appointed by the Sec-
17 retary, after consideration of the recommendation of
18 the mayor of the village of Youngstown, New York;

19 (5) 1 member shall be appointed by the Sec-
20 retary, after consideration of the recommendation of
21 the mayor of the village of Lewiston, New York;

22 (6) 1 member shall be appointed by the Sec-
23 retary, after consideration of the recommendation of
24 the Tuscarora Nation;

1 (7) *1 member shall be appointed by the Sec-*
2 *retary, after consideration of the recommendation of*
3 *the Seneca Nation of Indians; and*

4 (8) *6 members shall be individuals who have an*
5 *interest in, support for, and expertise appropriate to*
6 *tourism, regional planning, history and historic pres-*
7 *ervation, cultural or natural resource management,*
8 *conservation, recreation, and education, or museum*
9 *services, of whom—*

10 (A) *4 members shall be appointed by the*
11 *Secretary, after consideration of the rec-*
12 *ommendation of the 2 members of the Senate*
13 *from the State; and*

14 (B) *2 members shall be appointed by the*
15 *Secretary, after consideration of the rec-*
16 *ommendation of the Member of the House of*
17 *Representatives whose district encompasses the*
18 *National Heritage Area.*

19 (c) *TERMS; VACANCIES.—*

20 (1) *TERM.—A member of the Commission shall*
21 *be appointed for a term not to exceed 5 years.*

22 (2) *VACANCIES.—*

23 (A) *PARTIAL TERM.—A member appointed*
24 *to fill a vacancy on the Commission shall serve*

1 *for the remainder of the term for which the pred-*
2 *ecessor of the member was appointed.*

3 *(B) IN GENERAL.—A vacancy on the Com-*
4 *mission shall be filled in the same manner as the*
5 *original appointment was made.*

6 *(d) CHAIRPERSON AND VICE CHAIRPERSON.—*

7 *(1) SELECTION.—The Commission shall select a*
8 *Chairperson and Vice Chairperson from among the*
9 *members of the Commission.*

10 *(2) VICE CHAIRPERSON.—The Vice Chairperson*
11 *shall serve as the Chairperson in the absence of the*
12 *Chairperson.*

13 *(e) QUORUM.—*

14 *(1) IN GENERAL.—A majority of the members of*
15 *the Commission shall constitute a quorum.*

16 *(2) TRANSACTION.—For the transaction of any*
17 *business or the exercise of any power of the Commis-*
18 *sion, the Commission shall have the power to act by*
19 *a majority vote of the members present at any meet-*
20 *ing at which a quorum is in attendance.*

21 *(f) MEETINGS.—*

22 *(1) IN GENERAL.—The Commission shall meet at*
23 *least quarterly at the call of—*

24 *(A) the Chairperson; or*

1 (B) a majority of the members of the Com-
2 mission.

3 (2) NOTICE.—Notice of Commission meetings
4 and agendas for the meetings shall be published in
5 local newspapers that are distributed throughout the
6 National Heritage Area.

7 (3) APPLICABLE LAW.—Meetings of the Commis-
8 sion shall be subject to section 552b of title 5, United
9 States Code.

10 (g) AUTHORITIES OF THE COMMISSION.—In addition
11 to the authorities otherwise granted in this subtitle, the
12 Commission may—

13 (1) request and accept from the head of any Fed-
14 eral agency, on a reimbursable or non-reimbursable
15 basis, any personnel of the Federal agency to the
16 Commission to assist in carrying out the duties of the
17 Commission;

18 (2) request and accept from the head of any
19 State agency or any agency of a political subdivision
20 of the State, on a reimbursable or nonreimbursable
21 basis, any personnel of the agency to the Commission
22 to assist in carrying out the duties of the Commis-
23 sion;

1 (3) *seek, accept, and dispose of gifts, bequests,*
2 *grants, or donations of money, personal property, or*
3 *services; and*

4 (4) *use the United States mails in the same*
5 *manner as other agencies of the Federal Government.*

6 (h) *DUTIES OF THE COMMISSION.—To further the pur-*
7 *poses of the National Heritage Area, in addition to the du-*
8 *ties otherwise listed in this subtitle, the Commission shall*
9 *assist in the transition of the management of the National*
10 *Heritage Area from the Commission to the local coordi-*
11 *nating entity designated under this subtitle.*

12 (i) *COMPENSATION OF MEMBERS.—*

13 (1) *IN GENERAL.—A member of the Commission*
14 *shall serve without compensation.*

15 (2) *TRAVEL EXPENSES.—A member of the Com-*
16 *mission shall be allowed travel expenses, including*
17 *per diem in lieu of subsistence, at rates authorized for*
18 *an employee of an agency under subchapter I of chap-*
19 *ter 57 of title 5, United States Code, while away from*
20 *the home or regular place of business of the member*
21 *in the performance of the duties of the Commission.*

22 (j) *GIFTS.—For purposes of section 170(c) of the Inter-*
23 *nal Revenue Code of 1986, any gift or charitable contribu-*
24 *tion to the Commission shall be considered to be a charitable*
25 *contribution or gift to the United States.*

1 (k) *USE OF FEDERAL FUNDS.*—*Except as provided for*
2 *the leasing of administrative facilities under subsection*
3 *(g)(1), the Commission may not use Federal funds made*
4 *available to the Commission under this subtitle to acquire*
5 *any real property or interest in real property.*

6 **SEC. 2029. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

7 (a) *IN GENERAL.*—*Nothing in this subtitle affects the*
8 *authority of a Federal agency to provide technical or finan-*
9 *cial assistance under any other law.*

10 (b) *CONSULTATION AND COORDINATION.*—*The head of*
11 *any Federal agency planning to conduct activities that may*
12 *have an impact on a National Heritage Area is encouraged*
13 *to consult and coordinate the activities with the Secretary*
14 *and the local coordinating entity to the maximum extent*
15 *practicable.*

16 (c) *OTHER FEDERAL AGENCIES.*—*Nothing in this sub-*
17 *title—*

18 (1) *modifies, alters, or amends any law or regu-*
19 *lation authorizing a Federal agency to manage Fed-*
20 *eral land under the jurisdiction of the Federal agency;*

21 (2) *limits the discretion of a Federal land man-*
22 *ager to implement an approved land use plan within*
23 *the boundaries of a National Heritage Area; or*

1 (4) *authorizes or implies the reservation or ap-*
2 *propriation of water or water rights;*

3 (5) *diminishes the authority of the State to man-*
4 *age fish and wildlife, including the regulation of fish-*
5 *ing and hunting within the National Heritage Area;*
6 *or*

7 (6) *creates any liability, or affects any liability*
8 *under any other law, of any private property owner*
9 *with respect to any person injured on the private*
10 *property.*

11 **SEC. 2031. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) *AUTHORIZATION OF APPROPRIATIONS.—Subject to*
13 *subsection (b), there are authorized to be appropriated to*
14 *carry out this subtitle not more than \$1,000,000 for any*
15 *fiscal year. Funds so appropriated shall remain available*
16 *until expended.*

17 (b) *LIMITATION ON TOTAL AMOUNTS APPRO-*
18 *PRIATED.—Not more than \$15,000,000 may be appro-*
19 *priated to carry out this subtitle.*

20 (c) *COST-SHARING REQUIREMENT.—The Federal*
21 *share of the total cost of any activity under this subtitle*
22 *shall be not more than 50 percent; the non-Federal contribu-*
23 *tion may be in the form of in-kind contributions of goods*
24 *or services fairly valued.*

1 **SEC. 2032. USE OF FEDERAL FUNDS FROM OTHER SOURCES.**

2 *Nothing in this subtitle shall preclude the local coordi-*
 3 *nating entity from using Federal funds available under*
 4 *other laws for the purposes for which those funds were au-*
 5 *thorized.*

6 **SEC. 2033. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

7 *The authority of the Secretary to provide financial as-*
 8 *sistance under this subtitle terminates on the date that is*
 9 *15 years after the date of enactment of this subtitle.*

10 ***Subtitle C—Muscle Shoals National***
 11 ***Heritage Area***

12 **SEC. 2041. SHORT TITLE; TABLE OF CONTENTS.**

13 (a) *SHORT TITLE.*—*This subtitle may be cited as the*
 14 *“Muscle Shoals National Heritage Area Act”.*

15 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 16 *subtitle is as follows:*

Sec. 2041. Short title; table of contents.

Sec. 2042. Purposes.

Sec. 2043. Definitions.

Sec. 2044. Designation of Muscle Shoals National Heritage Area.

Sec. 2045. Management plan.

Sec. 2046. Evaluation; report.

Sec. 2047. Local coordinating entity.

Sec. 2048. Relationship to other Federal agencies.

Sec. 2049. Private property and regulatory protections.

Sec. 2050. Authorization of appropriations.

Sec. 2051. Use of Federal funds from other sources.

Sec. 2052. Sunset for grants and other assistance.

17 **SEC. 2042. PURPOSES.**

18 *The purposes of this subtitle include—*

19 (1) *to preserve, support conserve and interpret*
 20 *the legacy of the region represented by the National*

1 *Heritage Area as described in the feasibility study*
2 *prepared by the National Park Service;*

3 (2) *to promote heritage, cultural and rec-*
4 *reational tourism and to develop educational and cul-*
5 *tural programs for visitors and the general public;*

6 (3) *to recognize and interpret important events*
7 *and geographic locations representing key develop-*
8 *ments in the growth of America, including Native*
9 *American, Colonial American, European American,*
10 *and African American heritage;*

11 (4) *to recognize and interpret how the distinctive*
12 *geography of the region shaped the development of set-*
13 *tlement, defense, transportation, commerce, and cul-*
14 *ture there;*

15 (5) *to provide a cooperative management frame-*
16 *work to foster a close working relationship with all*
17 *levels of government, the private sector, and the local*
18 *communities in the region in identifying, preserving,*
19 *interpreting, and developing the historical, cultural,*
20 *scenic, and natural resources of the region for the edu-*
21 *cational and inspirational benefit of current and fu-*
22 *ture generations; and*

23 (6) *to provide appropriate linkages between*
24 *units of the National Park System and communities,*

1 *governments, and organizations within the National*
2 *Heritage Area.*

3 **SEC. 2043. DEFINITIONS.**

4 *In this subtitle:*

5 (1) *NATIONAL HERITAGE AREA.*—*The term “Na-*
6 *tional Heritage Area” means the Muscle Shoals Na-*
7 *tional Heritage Area established in this subtitle.*

8 (2) *LOCAL COORDINATING ENTITY.*—*The term*
9 *“local coordinating entity” means the Muscle Shoals*
10 *Regional Center, which is hereby designated by Con-*
11 *gress—*

12 (A) *to develop, in partnership with others,*
13 *the management plan for the National Heritage*
14 *Area; and*

15 (B) *to act as a catalyst for the implementa-*
16 *tion of projects and programs among diverse*
17 *partners in the National Heritage Area.*

18 (3) *MANAGEMENT PLAN.*—*The term “manage-*
19 *ment plan” means the plan prepared by the local co-*
20 *ordinating entity for the National Heritage Area that*
21 *specifies actions, policies, strategies, performance*
22 *goals, and recommendations to meet the goals of the*
23 *National Heritage Area, in accordance with this sub-*
24 *title.*

1 (4) *SECRETARY.*—*The term “Secretary” means*
2 *the Secretary of the Interior.*

3 **SEC. 2044. DESIGNATION OF MUSCLE SHOALS NATIONAL**
4 **HERITAGE AREA.**

5 (a) *ESTABLISHMENT.*—*There is hereby established the*
6 *Muscle Shoals National Heritage Area in the State of Ala-*
7 *bama.*

8 (b) *BOUNDARIES.*—

9 (1) *IN GENERAL.*—*The National Heritage Area*
10 *shall be comprised of the counties of Colbert, Frank-*
11 *lin, Lauderdale, Lawrence, Limestone, and Morgan;*
12 *including the Wilson Dam; the Handy Home; and the*
13 *Helen Keller birthplace.*

14 (2) *MAP.*—*The boundary of the National Herit-*
15 *age Area shall be as generally depicted on the map ti-*
16 *tled “_____”, numbered _____,*
17 *and dated _____.* *The map shall be on*
18 *file and available to the public in the appropriate of-*
19 *fices of the National Park Service and the local co-*
20 *ordinating entity.*

21 **SEC. 2045. MANAGEMENT PLAN.**

22 (a) *REQUIREMENTS.*—*The management plan for the*
23 *National Heritage Area shall—*

24 (1) *describe comprehensive policies, goals, strate-*
25 *gies, and recommendations for telling the story of the*

1 *heritage of the area covered by the National Heritage*
2 *Area and encouraging long-term resource protection,*
3 *enhancement, interpretation, funding, management,*
4 *and development of the National Heritage Area;*

5 *(2) include a description of actions and commit-*
6 *ments that Federal, State, Tribal, and local govern-*
7 *ments, private organizations, and citizens will take to*
8 *protect, enhance, interpret, fund, manage, and develop*
9 *the natural, historical, cultural, educational, scenic,*
10 *and recreational resources of the National Heritage*
11 *Area;*

12 *(3) specify existing and potential sources of*
13 *funding or economic development strategies to protect,*
14 *enhance, interpret, fund, manage, and develop the Na-*
15 *tional Heritage Area;*

16 *(4) include an inventory of the natural, histor-*
17 *ical, cultural, educational, scenic, and recreational re-*
18 *sources of the National Heritage Area related to the*
19 *national importance and themes of the National Her-*
20 *itage Area that should be protected, enhanced, inter-*
21 *preted, managed, funded, and developed;*

22 *(5) recommend policies and strategies for re-*
23 *source management, including the development of*
24 *intergovernmental and interagency agreements to pro-*
25 *tect, enhance, interpret, fund, manage, and develop*

1 *the natural, historical, cultural, educational, scenic,*
2 *and recreational resources of the National Heritage*
3 *Area;*

4 (6) *describe a program for implementation for*
5 *the management plan, including—*

6 (A) *performance goals;*

7 (B) *plans for resource protection, enhance-*
8 *ment, interpretation, funding, management, and*
9 *development; and*

10 (C) *specific commitments for implementa-*
11 *tion that have been made by the local coordi-*
12 *nating entity or any Federal, State, Tribal, or*
13 *local government agency, organization, business,*
14 *or individual;*

15 (7) *include an analysis of, and recommendations*
16 *for, means by which Federal, State, Tribal, and local*
17 *programs may best be coordinated (including the role*
18 *of the National Park Service and other Federal agen-*
19 *cies associated with the National Heritage Area) to*
20 *further the purposes of this subtitle; and*

21 (8) *include a business plan that—*

22 (A) *describes the role, operation, financing,*
23 *and functions of the local coordinating entity*
24 *and of each of the major activities contained in*
25 *the management plan; and*

1 (B) provides adequate assurances that the
2 local coordinating entity has the partnerships
3 and financial and other resources necessary to
4 implement the management plan for the Na-
5 tional Heritage Area.

6 (b) *DEADLINE.*—

7 (1) *IN GENERAL.*—Not later than 3 years after
8 the date on which funds are first made available to
9 develop the management plan after designation as a
10 National Heritage Area, the local coordinating entity
11 shall submit the management plan to the Secretary
12 for approval.

13 (2) *TERMINATION OF FUNDING.*—If the manage-
14 ment plan is not submitted to the Secretary in ac-
15 cordance with paragraph (1), the local coordinating
16 entity shall not qualify for any additional financial
17 assistance under this subtitle until such time as the
18 management plan is submitted to and approved by
19 the Secretary.

20 (c) *APPROVAL OF MANAGEMENT PLAN.*—

21 (1) *REVIEW.*—Not later than 180 days after re-
22 ceiving the plan, the Secretary shall review and ap-
23 prove or disapprove the management plan for a Na-
24 tional Heritage Area on the basis of the criteria estab-
25 lished under paragraph (3).

1 (2) *CONSULTATION.*—*The Secretary shall consult*
2 *with the Governor of each State in which the National*
3 *Heritage Area is located before approving a manage-*
4 *ment plan for the National Heritage Area.*

5 (3) *CRITERIA FOR APPROVAL.*—*In determining*
6 *whether to approve a management plan for a Na-*
7 *tional Heritage Area, the Secretary shall consider*
8 *whether—*

9 (A) *the local coordinating entity represents*
10 *the diverse interests of the National Heritage*
11 *Area, including Federal, State, Tribal, and local*
12 *governments, natural, and historic resource pro-*
13 *tection organizations, educational institutions,*
14 *businesses, recreational organizations, commu-*
15 *nity residents, and private property owners;*

16 (B) *the local coordinating entity—*

17 (i) *has afforded adequate opportunity*
18 *for public and Federal, State, Tribal, and*
19 *local governmental involvement (including*
20 *through workshops and hearings) in the*
21 *preparation of the management plan; and*

22 (ii) *provides for at least semiannual*
23 *public meetings to ensure adequate imple-*
24 *mentation of the management plan;*

1 (C) *the resource protection, enhancement,*
2 *interpretation, funding, management, and devel-*
3 *opment strategies described in the management*
4 *plan, if implemented, would adequately protect,*
5 *enhance, interpret, fund, manage, and develop*
6 *the natural, historic, cultural, educational, sce-*
7 *nic, and recreational resources of the National*
8 *Heritage Area;*

9 (D) *the management plan would not ad-*
10 *versely affect any activities authorized on Fed-*
11 *eral land under public land laws or land use*
12 *plans;*

13 (E) *the local coordinating entity has dem-*
14 *onstrated the financial capability, in partner-*
15 *ship with others, to carry out the plan;*

16 (F) *the Secretary has received adequate as-*
17 *surances from the appropriate State, Tribal, and*
18 *local officials whose support is needed to ensure*
19 *the effective implementation of the State, Tribal,*
20 *and local elements of the management plan; and*

21 (G) *the management plan demonstrates*
22 *partnerships among the local coordinating enti-*
23 *ty, Federal, State, Tribal, and local governments,*
24 *regional planning organizations, nonprofit orga-*

1 nizations, or private sector parties for implemen-
2 tation of the management plan.

3 (4) *DISAPPROVAL.*—

4 (A) *IN GENERAL.*—If the Secretary dis-
5 approves the management plan, the Secretary—

6 (i) shall advise the local coordinating
7 entity in writing of the reasons for the dis-
8 approval; and

9 (ii) may make recommendations to the
10 local coordinating entity for revisions to the
11 management plan.

12 (B) *DEADLINE.*—Not later than 180 days
13 after receiving a revised management plan, the
14 Secretary shall approve or disapprove the revised
15 management plan.

16 (5) *AMENDMENTS.*—

17 (A) *IN GENERAL.*—An amendment to the
18 management plan that substantially alters the
19 purposes of the National Heritage Area shall be
20 reviewed by the Secretary and approved or dis-
21 approved in the same manner as the original
22 management plan.

23 (B) *IMPLEMENTATION.*—The local coordi-
24 nating entity shall not use Federal funds author-
25 ized by this subtitle to implement an amendment

1 to the management plan until the Secretary ap-
2 proves the amendment.

3 (6) *AUTHORITIES.*—The Secretary may—

4 (A) provide technical assistance under the
5 authority of this subtitle for the development and
6 implementation of the management plan; and

7 (B) enter into cooperative agreements with
8 interested parties to carry out this subtitle.

9 **SEC. 2046. EVALUATION; REPORT.**

10 (a) *IN GENERAL.*—Not later than 3 years before the
11 date on which authority for Federal funding terminates for
12 the National Heritage Area under this subtitle, the Sec-
13 retary shall—

14 (1) conduct an evaluation of the accomplish-
15 ments of the National Heritage Area; and

16 (2) prepare a report in accordance with sub-
17 section (c).

18 (b) *EVALUATION.*—An evaluation conducted under
19 subsection (a)(1) shall—

20 (1) assess the progress of the local coordinating
21 entity with respect to—

22 (A) accomplishing the purposes of the au-
23 thorizing legislation for the National Heritage
24 Area; and

1 (B) achieving the goals and objectives of the
2 approved management plan for the National
3 Heritage Area;

4 (2) analyze the Federal, State, Tribal, and local,
5 and private investments in the National Heritage
6 Area to determine the impact of the investments; and

7 (3) review the management structure, partner-
8 ship relationships, and funding of the National Herit-
9 age Area for purposes of identifying the critical com-
10 ponents for sustainability of the National Heritage
11 Area.

12 (c) *REPORT.*—Based on the evaluation conducted
13 under subsection (a)(1), the Secretary shall submit a report
14 to the Committee on Natural Resources of the United States
15 House of Representatives and the Committee on Energy and
16 Natural Resources of the United States Senate. The report
17 shall include recommendations for the future role of the Na-
18 tional Park Service, if any, with respect to the National
19 Heritage Area.

20 **SEC. 2047. LOCAL COORDINATING ENTITY.**

21 (a) *DUTIES.*—To further the purposes of the National
22 Heritage Area, the Muscle Shoals Regional Center, as the
23 local coordinating entity, shall—

1 (1) *prepare a management plan for the National*
2 *Heritage Area, and submit the management plan to*
3 *the Secretary, in accordance with this subtitle;*

4 (2) *submit an annual report to the Secretary for*
5 *each fiscal year for which the local coordinating enti-*
6 *ty receives Federal funds under this subtitle, speci-*
7 *fying—*

8 (A) *the specific performance goals and ac-*
9 *complishments of the local coordinating entity;*

10 (B) *the expenses and income of the local co-*
11 *ordinating entity;*

12 (C) *the amounts and sources of matching*
13 *funds;*

14 (D) *the amounts leveraged with Federal*
15 *funds and sources of the leveraging; and*

16 (E) *grants made to any other entities dur-*
17 *ing the fiscal year;*

18 (3) *make available for audit for each fiscal year*
19 *for which the local coordinating entity receives Fed-*
20 *eral funds under this subtitle, all information per-*
21 *taining to the expenditure of the funds and any*
22 *matching funds; and*

23 (4) *encourage economic viability and sustain-*
24 *ability that is consistent with the purposes of the Na-*
25 *tional Heritage Area.*

1 **(b) AUTHORITIES.**—*For the purposes of preparing and*
2 *implementing the approved management plan for the Na-*
3 *tional Heritage Area, the local coordinating entity may use*
4 *Federal funds made available under this subtitle to—*

5 (1) *make grants to political jurisdictions, non-*
6 *profit organizations, and other parties within the Na-*
7 *tional Heritage Area;*

8 (2) *enter into cooperative agreements with or*
9 *provide technical assistance to political jurisdictions,*
10 *nonprofit organizations, Federal agencies, and other*
11 *interested parties;*

12 (3) *hire and compensate staff, including individ-*
13 *uals with expertise in—*

14 (A) *natural, historical, cultural, edu-*
15 *cational, scenic, and recreational resource con-*
16 *servation;*

17 (B) *economic and community development;*
18 *and*

19 (C) *heritage planning;*

20 (4) *obtain funds or services from any source, in-*
21 *cluding other Federal programs;*

22 (5) *contract for goods or services; and*

23 (6) *support activities of partners and any other*
24 *activities that further the purposes of the National*

1 *Heritage Area and are consistent with the approved*
2 *management plan.*

3 (c) *PROHIBITION ON ACQUISITION OF REAL PROP-*
4 *ERTY.—The local coordinating entity may not use Federal*
5 *funds authorized under this subtitle to acquire any interest*
6 *in real property.*

7 **SEC. 2048. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

8 (a) *IN GENERAL.—Nothing in this subtitle affects the*
9 *authority of a Federal agency to provide technical or finan-*
10 *cial assistance under any other law.*

11 (b) *CONSULTATION AND COORDINATION.—The head of*
12 *any Federal agency planning to conduct activities that may*
13 *have an impact on a National Heritage Area is encouraged*
14 *to consult and coordinate the activities with the Secretary*
15 *and the local coordinating entity to the maximum extent*
16 *practicable.*

17 (c) *OTHER FEDERAL AGENCIES.—Nothing in this sub-*
18 *title—*

19 (1) *modifies, alters, or amends any law or regu-*
20 *lation authorizing a Federal agency to manage Fed-*
21 *eral land under the jurisdiction of the Federal agency;*

22 (2) *limits the discretion of a Federal land man-*
23 *ager to implement an approved land use plan within*
24 *the boundaries of a National Heritage Area; or*

1 (3) *modifies, alters, or amends any authorized*
2 *use of Federal land under the jurisdiction of a Fed-*
3 *eral agency.*

4 **SEC. 2049. PRIVATE PROPERTY AND REGULATORY PROTEC-**
5 **TIONS.**

6 *Nothing in this subtitle—*

7 (1) *abridges the rights of any property owner*
8 *(whether public or private), including the right to re-*
9 *frain from participating in any plan, project, pro-*
10 *gram, or activity conducted within the National Her-*
11 *itage Area;*

12 (2) *requires any property owner to permit public*
13 *access (including access by Federal, State, Tribal, or*
14 *local agencies) to the property of the property owner,*
15 *or to modify public access or use of property of the*
16 *property owner under any other Federal, State, Trib-*
17 *al, or local law;*

18 (3) *alters any duly adopted land use regulation,*
19 *approved land use plan, or other regulatory authority*
20 *of any Federal, State, Tribal, or local agency, or con-*
21 *veys any land use or other regulatory authority to*
22 *any local coordinating entity, including but not nec-*
23 *essarily limited to development and management of*
24 *energy, water, or water-related infrastructure;*

1 (4) *authorizes or implies the reservation or ap-*
2 *propriation of water or water rights;*

3 (5) *diminishes the authority of the State to man-*
4 *age fish and wildlife, including the regulation of fish-*
5 *ing and hunting within the National Heritage Area;*
6 *or*

7 (6) *creates any liability, or affects any liability*
8 *under any other law, of any private property owner*
9 *with respect to any person injured on the private*
10 *property.*

11 **SEC. 2050. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) *AUTHORIZATION OF APPROPRIATIONS.—Subject to*
13 *subsection (b), there are authorized to be appropriated to*
14 *carry out this subtitle not more than \$1,000,000 for any*
15 *fiscal year. Funds so appropriated shall remain available*
16 *until expended.*

17 (b) *LIMITATION ON TOTAL AMOUNTS APPRO-*
18 *PRIATED.—Not more than \$15,000,000 may be appro-*
19 *priated to carry out this subtitle.*

20 (c) *COST-SHARING REQUIREMENT.—The Federal*
21 *share of the total cost of any activity under this subtitle*
22 *shall be not more than 50 percent; the non-Federal contribu-*
23 *tion may be in the form of in-kind contributions of goods*
24 *or services fairly valued.*

1 **SEC. 2051. USE OF FEDERAL FUNDS FROM OTHER SOURCES.**

2 *Nothing in this subtitle shall preclude the local coordi-*
 3 *nating entity from using Federal funds available under*
 4 *other laws for the purposes for which those funds were au-*
 5 *thorized.*

6 **SEC. 2052. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

7 *The authority of the Secretary to provide financial as-*
 8 *sistance under this subtitle terminates on the date that is*
 9 *15 years after the date of enactment of this subtitle.*

10 ***Subtitle D—Freedom’s Way***
 11 ***National Heritage Area***

12 **SEC. 2061. SHORT TITLE; TABLE OF CONTENTS.**

13 (a) *SHORT TITLE.*—*This subtitle may be cited as the*
 14 *“Freedom’s Way National Heritage Area Act”.*

15 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 16 *subtitle is as follows:*

Sec. 2061. Short title; table of contents.

Sec. 2062. Purposes.

Sec. 2063. Definitions.

Sec. 2064. Designation of Freedom’s Way National Heritage Area.

Sec. 2065. Management plan.

Sec. 2066. Evaluation; report.

Sec. 2067. Local coordinating entity.

Sec. 2068. Relationship to other Federal agencies.

Sec. 2069. Private property and regulatory protections.

Sec. 2070. Authorization of appropriations.

Sec. 2071. Use of Federal funds from other sources.

Sec. 2072. Sunset for grants and other assistance.

17 **SEC. 2062. PURPOSES.**

18 (a) *The purposes of this subtitle include—*

19 (1) *to recognize the significant natural and cul-*
 20 *tural legacies of the area, as demonstrated in the*

1 *study entitled “Freedom’s Way Heritage Area Feasi-*
2 *bility Study” dated July 1997 and the addendum*
3 *dated March 2003;*

4 (2) *to promote heritage, cultural and rec-*
5 *reational tourism and to develop educational and cul-*
6 *tural programs for visitors and the general public;*

7 (3) *to foster a close working relationship between*
8 *the Secretary and all levels of government, the private*
9 *sector, and local communities in the Commonwealth*
10 *of Massachusetts and the State of New Hampshire in*
11 *order to preserve the special historic identity of the*
12 *National Heritage Area;*

13 (4) *to manage, preserve, protect and interpret*
14 *the cultural, historical, and natural resources of the*
15 *National Heritage Area for the educational and in-*
16 *spirational benefit of future generations; and*

17 (5) *to provide appropriate linkages between*
18 *units of the National Park System and communities,*
19 *governments, and organizations within the National*
20 *Heritage Area.*

21 **SEC. 2063. DEFINITIONS.**

22 *In this subtitle:*

23 (1) *NATIONAL HERITAGE AREA.*—*The term “Na-*
24 *tional Heritage Area” means the Freedom’s Way Na-*
25 *tional Heritage Area established in this subtitle.*

1 (2) *LOCAL COORDINATING ENTITY.*—*The term*
2 *“local coordinating entity” means the Freedom’s Way*
3 *Heritage Association, Inc., which is hereby designated*
4 *by Congress—*

5 *(A) to develop, in partnership with others,*
6 *the management plan for the National Heritage*
7 *Area; and*

8 *(B) to act as a catalyst for the implementa-*
9 *tion of projects and programs among diverse*
10 *partners in the National Heritage Area.*

11 (3) *MANAGEMENT PLAN.*—*The term “manage-*
12 *ment plan” means the plan prepared by the local co-*
13 *ordinating entity for the National Heritage Area that*
14 *specifies actions, policies, strategies, performance*
15 *goals, and recommendations to meet the goals of the*
16 *National Heritage Area, in accordance with this sub-*
17 *title.*

18 (4) *SECRETARY.*—*The term “Secretary” means*
19 *the Secretary of the Interior.*

20 **SEC. 2064. DESIGNATION OF FREEDOM’S WAY NATIONAL**
21 **HERITAGE AREA.**

22 (a) *ESTABLISHMENT.*—*There is hereby established the*
23 *Freedom’s Way National Heritage Area.*

24 (b) *BOUNDARIES.*—

1 (1) *IN GENERAL.*—*The National Heritage Area*
2 *shall include the following communities in the Com-*
3 *monwealth of Massachusetts: Winchendon,*
4 *Ashburnham, Ashby, Gardner, Fitchburg, West-*
5 *minster, Princeton, Sterling, Leominster, Townsend,*
6 *Pepperell, Lunenburg, Shirley, Lancaster, Clinton,*
7 *Bolton, Harvard, Ayer, Groton, Dunstable, Westford,*
8 *Littleton, Boxborough, Stow, Hudson, Maynard, Sud-*
9 *bury, Concord, Carlisle, Acton, Bedford, Lincoln, Lex-*
10 *ington, Woburn, Arlington, Medford, and Malden. Ad-*
11 *ditionally it shall include the following communities*
12 *in the State of New Hampshire: New Ipswich, Green-*
13 *ville, Mason, Brookline, Milford, Amherst, Hollis, and*
14 *Nashua.*

15 (2) *MAP.*—*The boundaries of the National Herit-*
16 *age area shall be as generally depicted on the map ti-*
17 *tled “Freedom’s Way National Heritage Area”, num-*
18 *bered T04/80,000, and dated July 2007. The map*
19 *shall be on file and available to the public in the ap-*
20 *propriate offices of the National Park Service and the*
21 *local coordinating entity.*

22 **SEC. 2065. MANAGEMENT PLAN.**

23 (a) *REQUIREMENTS.*—*The management plan for the*
24 *National Heritage Area shall—*

1 (1) *describe comprehensive policies, goals, strate-*
2 *gies, and recommendations for telling the story of the*
3 *heritage of the area covered by the National Heritage*
4 *Area and encouraging long-term resource protection,*
5 *enhancement, interpretation, funding, management,*
6 *and development of the National Heritage Area;*

7 (2) *include a description of actions and commit-*
8 *ments that Federal, State, Tribal, and local govern-*
9 *ments, private organizations, and citizens will take to*
10 *protect, enhance, interpret, fund, manage, and develop*
11 *the natural, historical, cultural, educational, scenic,*
12 *and recreational resources of the National Heritage*
13 *Area;*

14 (3) *specify existing and potential sources of*
15 *funding or economic development strategies to protect,*
16 *enhance, interpret, fund, manage, and develop the Na-*
17 *tional Heritage Area;*

18 (4) *include an inventory of the natural, histor-*
19 *ical, cultural, educational, scenic, and recreational re-*
20 *sources of the National Heritage Area related to the*
21 *national importance and themes of the National Her-*
22 *itage Area that should be protected, enhanced, inter-*
23 *preted, managed, funded, and developed;*

24 (5) *recommend policies and strategies for re-*
25 *source management, including the development of*

1 *intergovernmental and interagency agreements to pro-*
2 *tect, enhance, interpret, fund, manage, and develop*
3 *the natural, historical, cultural, educational, scenic,*
4 *and recreational resources of the National Heritage*
5 *Area;*

6 (6) *describe a program for implementation for*
7 *the management plan, including—*

8 (A) *performance goals;*

9 (B) *plans for resource protection, enhance-*
10 *ment, interpretation, funding, management, and*
11 *development; and*

12 (C) *specific commitments for implementa-*
13 *tion that have been made by the local coordi-*
14 *nating entity or any Federal, State, Tribal, or*
15 *local government agency, organization, business,*
16 *or individual;*

17 (7) *include an analysis of, and recommendations*
18 *for, means by which Federal, State, Tribal, and local*
19 *programs may best be coordinated (including the role*
20 *of the National Park Service and other Federal agen-*
21 *cies associated with the National Heritage Area) to*
22 *further the purposes of this subtitle; and*

23 (8) *include a business plan that—*

24 (A) *describes the role, operation, financing,*
25 *and functions of the local coordinating entity*

1 *and of each of the major activities contained in*
2 *the management plan; and*

3 *(B) provides adequate assurances that the*
4 *local coordinating entity has the partnerships*
5 *and financial and other resources necessary to*
6 *implement the management plan for the Na-*
7 *tional Heritage Area.*

8 *(b) DEADLINE.—*

9 *(1) IN GENERAL.—Not later than 3 years after*
10 *the date on which funds are first made available to*
11 *develop the management plan after designation as a*
12 *National Heritage Area, the local coordinating entity*
13 *shall submit the management plan to the Secretary*
14 *for approval.*

15 *(2) TERMINATION OF FUNDING.—If the manage-*
16 *ment plan is not submitted to the Secretary in ac-*
17 *cordance with paragraph (1), the local coordinating*
18 *entity shall not qualify for any additional financial*
19 *assistance under this subtitle until such time as the*
20 *management plan is submitted to and approved by*
21 *the Secretary.*

22 *(c) APPROVAL OF MANAGEMENT PLAN.—*

23 *(1) REVIEW.—Not later than 180 days after re-*
24 *ceiving the plan, the Secretary shall review and ap-*
25 *prove or disapprove the management plan for the Na-*

1 *tional Heritage Area on the basis of the criteria estab-*
2 *lished under paragraph (3).*

3 (2) *CONSULTATION.*—*The Secretary shall consult*
4 *with the Governor of each State or Commonwealth in*
5 *which the National Heritage Area is located before*
6 *approving a management plan for the National Her-*
7 *itage Area.*

8 (3) *CRITERIA FOR APPROVAL.*—*In determining*
9 *whether to approve a management plan for a Na-*
10 *tional Heritage Area, the Secretary shall consider*
11 *whether—*

12 (A) *the local coordinating entity represents*
13 *the diverse interests of the National Heritage*
14 *Area, including Federal, State, Tribal, and local*
15 *governments, natural and historic resource pro-*
16 *tection organizations, educational institutions,*
17 *businesses, recreational organizations, commu-*
18 *nity residents, and private property owners;*

19 (B) *the local coordinating entity—*

20 (i) *has afforded adequate opportunity*
21 *for public and Federal, State, Tribal, and*
22 *local governmental involvement (including*
23 *through workshops and hearings) in the*
24 *preparation of the management plan; and*

1 (ii) provides for at least semiannual
2 public meetings to ensure adequate imple-
3 mentation of the management plan;

4 (C) the resource protection, enhancement,
5 interpretation, funding, management, and devel-
6 opment strategies described in the management
7 plan, if implemented, would adequately protect,
8 enhance, interpret, fund, manage, and develop
9 the natural, historic, cultural, educational, sce-
10 nic, and recreational resources of the National
11 Heritage Area;

12 (D) the management plan would not ad-
13 versely affect any activities authorized on Fed-
14 eral land under public land laws or land use
15 plans;

16 (E) the local coordinating entity has dem-
17 onstrated the financial capability, in partner-
18 ship with others, to carry out the plan;

19 (F) the Secretary has received adequate as-
20 surances from the appropriate State, Tribal, and
21 local officials whose support is needed to ensure
22 the effective implementation of the State, Tribal,
23 and local elements of the management plan; and

24 (G) the management plan demonstrates
25 partnerships among the local coordinating enti-

1 *ty, Federal, State, Tribal, and local governments,*
2 *regional planning organizations, nonprofit orga-*
3 *nizations, or private sector parties for implemen-*
4 *tation of the management plan.*

5 (4) *DISAPPROVAL.*—

6 (A) *IN GENERAL.*—*If the Secretary dis-*
7 *approves the management plan, the Secretary—*

8 (i) *shall advise the local coordinating*
9 *entity in writing of the reasons for the dis-*
10 *approval; and*

11 (ii) *may make recommendations to the*
12 *local coordinating entity for revisions to the*
13 *management plan.*

14 (B) *DEADLINE.*—*Not later than 180 days*
15 *after receiving a revised management plan, the*
16 *Secretary shall approve or disapprove the revised*
17 *management plan.*

18 (5) *AMENDMENTS.*—

19 (A) *IN GENERAL.*—*An amendment to the*
20 *management plan that substantially alters the*
21 *purposes of the National Heritage Area shall be*
22 *reviewed by the Secretary and approved or dis-*
23 *approved in the same manner as the original*
24 *management plan.*

1 (B) *IMPLEMENTATION.*—*The local coordi-*
2 *inating entity shall not use Federal funds author-*
3 *ized by this subtitle to implement an amendment*
4 *to the management plan until the Secretary ap-*
5 *proves the amendment.*

6 (6) *AUTHORITIES.*—*The Secretary may—*

7 (A) *provide technical assistance under the*
8 *authority of this subtitle for the development and*
9 *implementation of the management plan; and*

10 (B) *enter into cooperative agreements with*
11 *interested parties to carry out this subtitle.*

12 **SEC. 2066. EVALUATION; REPORT.**

13 (a) *IN GENERAL.*—*Not later than 3 years before the*
14 *date on which authority for Federal funding terminates for*
15 *the National Heritage Area under this subtitle, the Sec-*
16 *retary shall—*

17 (1) *conduct an evaluation of the accomplish-*
18 *ments of the National Heritage Area; and*

19 (2) *prepare a report in accordance with sub-*
20 *section (c).*

21 (b) *EVALUATION.*—*An evaluation conducted under*
22 *subsection (a)(1) shall—*

23 (1) *assess the progress of the local coordinating*
24 *entity with respect to—*

1 (A) accomplishing the purposes of the au-
2 thorizing legislation for the National Heritage
3 Area; and

4 (B) achieving the goals and objectives of the
5 approved management plan for the National
6 Heritage Area;

7 (2) analyze the Federal, State, Tribal, and local,
8 and private investments in the National Heritage
9 Area to determine the impact of the investments; and

10 (3) review the management structure, partner-
11 ship relationships, and funding of the National Herit-
12 age Area for purposes of identifying the critical com-
13 ponents for sustainability of the National Heritage
14 Area.

15 (c) *REPORT.*—Based on the evaluation conducted
16 under subsection (a)(1), the Secretary shall submit a report
17 to the Committee on Natural Resources of the United States
18 House of Representatives and the Committee on Energy and
19 Natural Resources of the United States Senate. The report
20 shall include recommendations for the future role of the Na-
21 tional Park Service, if any, with respect to the National
22 Heritage Area.

1 **SEC. 2067. LOCAL COORDINATING ENTITY.**

2 (a) *DUTIES.*—*To further the purposes of the National*
3 *Heritage Area, the Freedom’s Way Heritage Association,*
4 *Inc., as the local coordinating entity, shall—*

5 (1) *prepare a management plan for the National*
6 *Heritage Area, and submit the management plan to*
7 *the Secretary, in accordance with this subtitle;*

8 (2) *submit an annual report to the Secretary for*
9 *each fiscal year for which the local coordinating enti-*
10 *ty receives Federal funds under this subtitle, speci-*
11 *fying—*

12 (A) *the specific performance goals and ac-*
13 *complishments of the local coordinating entity;*

14 (B) *the expenses and income of the local co-*
15 *ordinating entity;*

16 (C) *the amounts and sources of matching*
17 *funds;*

18 (D) *the amounts leveraged with Federal*
19 *funds and sources of the leveraging; and*

20 (E) *grants made to any other entities dur-*
21 *ing the fiscal year;*

22 (3) *make available for audit for each fiscal year*
23 *for which the local coordinating entity receives Fed-*
24 *eral funds under this subtitle, all information per-*
25 *taining to the expenditure of the funds and any*
26 *matching funds; and*

1 (4) *encourage economic viability and sustain-*
2 *ability that is consistent with the purposes of the Na-*
3 *tional Heritage Area.*

4 (b) *AUTHORITIES.*—*For the purposes of preparing and*
5 *implementing the approved management plan for the Na-*
6 *tional Heritage Area, the local coordinating entity may use*
7 *Federal funds made available under this subtitle to—*

8 (1) *make grants to political jurisdictions, non-*
9 *profit organizations, and other parties within the Na-*
10 *tional Heritage Area;*

11 (2) *enter into cooperative agreements with or*
12 *provide technical assistance to political jurisdictions,*
13 *nonprofit organizations, Federal agencies, and other*
14 *interested parties;*

15 (3) *hire and compensate staff, including individ-*
16 *uals with expertise in—*

17 (A) *natural, historical, cultural, edu-*
18 *cational, scenic, and recreational resource con-*
19 *servation;*

20 (B) *economic and community development;*
21 *and*

22 (C) *heritage planning;*

23 (4) *obtain funds or services from any source, in-*
24 *cluding other Federal programs;*

25 (5) *contract for goods or services; and*

1 (6) *support activities of partners and any other*
2 *activities that further the purposes of the National*
3 *Heritage Area and are consistent with the approved*
4 *management plan.*

5 (c) *PROHIBITION ON ACQUISITION OF REAL PROP-*
6 *ERTY.—The local coordinating entity may not use Federal*
7 *funds authorized under this subtitle to acquire any interest*
8 *in real property.*

9 **SEC. 2068. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

10 (a) *IN GENERAL.—Nothing in this subtitle affects the*
11 *authority of a Federal agency to provide technical or finan-*
12 *cial assistance under any other law.*

13 (b) *CONSULTATION AND COORDINATION.—The head of*
14 *any Federal agency planning to conduct activities that may*
15 *have an impact on a National Heritage Area is encouraged*
16 *to consult and coordinate the activities with the Secretary*
17 *and the local coordinating entity to the maximum extent*
18 *practicable.*

19 (c) *OTHER FEDERAL AGENCIES.—Nothing in this sub-*
20 *title—*

21 (1) *modifies, alters, or amends any law or regu-*
22 *lation authorizing a Federal agency to manage Fed-*
23 *eral land under the jurisdiction of the Federal agency;*

1 (2) *limits the discretion of a Federal land man-*
2 *ager to implement an approved land use plan within*
3 *the boundaries of a National Heritage Area; or*

4 (3) *modifies, alters, or amends any authorized*
5 *use of Federal land under the jurisdiction of a Fed-*
6 *eral agency.*

7 **SEC. 2069. PRIVATE PROPERTY AND REGULATORY PROTEC-**
8 **TIONS.**

9 *Nothing in this subtitle—*

10 (1) *abridges the rights of any property owner*
11 *(whether public or private), including the right to re-*
12 *frain from participating in any plan, project, pro-*
13 *gram, or activity conducted within the National Her-*
14 *itage Area;*

15 (2) *requires any property owner to permit public*
16 *access (including access by Federal, State, Tribal, or*
17 *local agencies) to the property of the property owner,*
18 *or to modify public access or use of property of the*
19 *property owner under any other Federal, State, Trib-*
20 *al, or local law;*

21 (3) *alters any duly adopted land use regulation,*
22 *approved land use plan, or other regulatory authority*
23 *of any Federal, State, Tribal, or local agency, or con-*
24 *veys any land use or other regulatory authority to*
25 *any local coordinating entity, including but not nec-*

1 *essarily limited to development and management of*
2 *energy, water, or water-related infrastructure;*

3 (4) *authorizes or implies the reservation or ap-*
4 *propriation of water or water rights;*

5 (5) *diminishes the authority of the State to man-*
6 *age fish and wildlife, including the regulation of fish-*
7 *ing and hunting within the National Heritage Area;*
8 *or*

9 (6) *creates any liability, or affects any liability*
10 *under any other law, of any private property owner*
11 *with respect to any person injured on the private*
12 *property.*

13 **SEC. 2070. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*Subject to*
15 *subsection (b), there are authorized to be appropriated to*
16 *carry out this subtitle not more than \$1,000,000 for any*
17 *fiscal year. Funds so appropriated shall remain available*
18 *until expended.*

19 (b) *LIMITATION ON TOTAL AMOUNTS APPRO-*
20 *PRIATED.*—*Not more than \$15,000,000 may be appro-*
21 *priated to carry out this subtitle.*

22 (c) *COST-SHARING REQUIREMENT.*—*The Federal*
23 *share of the total cost of any activity under this subtitle*
24 *shall be not more than 50 percent; the non-Federal contribu-*

1 tion may be in the form of in-kind contributions of goods
2 or services fairly valued.

3 **SEC. 2071. USE OF FEDERAL FUNDS FROM OTHER SOURCES.**

4 Nothing in this subtitle shall preclude the local coordi-
5 nating entity from using Federal funds available under
6 Acts other than this subtitle for the purposes for which those
7 funds were authorized.

8 **SEC. 2072. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

9 The authority of the Secretary to provide financial as-
10 sistance under this subtitle terminates on the date that is
11 15 years after the date of enactment of this subtitle.

12 **Subtitle E—Abraham Lincoln**
13 **National Heritage Area**

14 **SEC. 2081. SHORT TITLE; TABLE OF CONTENTS.**

15 (a) *SHORT TITLE.*—This subtitle may be cited as the
16 “Abraham Lincoln National Heritage Area Act”.

17 (b) *TABLE OF CONTENTS.*—The table of contents of this
18 subtitle is as follows:

- Sec. 2081. Short title; table of contents.*
- Sec. 2082. Purposes.*
- Sec. 2083. Definitions.*
- Sec. 2084. Designation of Abraham Lincoln National Heritage Area.*
- Sec. 2085. Management plan.*
- Sec. 2086. Evaluation; report.*
- Sec. 2087. Local coordinating entity.*
- Sec. 2088. Relationship to other Federal agencies.*
- Sec. 2089. Private property and regulatory protections.*
- Sec. 2090. Authorization of appropriations.*
- Sec. 2091. Use of Federal funds from other sources.*
- Sec. 2092. Sunset for grants and other assistance.*

19 **SEC. 2082. PURPOSES.**

20 (a) *The purposes of this subtitle include—*

1 (1) to recognize the significant natural and cul-
2 tural legacies of the area, as demonstrated in the
3 study entitled “Feasibility Study of the Proposed
4 Abraham Lincoln National Heritage Area” prepared
5 for the Looking for Lincoln Heritage Coalition in
6 2002 and revised in 2007;

7 (2) to promote heritage, cultural and rec-
8 reational tourism and to develop educational and cul-
9 tural programs for visitors and the general public;

10 (3) to recognize and interpret important events
11 and geographic locations representing key periods in
12 the growth of America, including Native American,
13 Colonial American, European American, and African
14 American heritage;

15 (4) to recognize and interpret the distinctive role
16 the region played in shaping the man who would be-
17 come the 16th President of the United States, and
18 how Abraham Lincoln’s life left its traces in the sto-
19 ries, folklore, buildings, streetscapes, and landscapes
20 of the region;

21 (5) to provide a cooperative management frame-
22 work to foster a close working relationship with all
23 levels of government, the private sector, and the local
24 communities in the region in identifying, preserving,
25 interpreting, and developing the historical, cultural,

1 scenic, and natural resources of the region for the edu-
2 cational and inspirational benefit of current and fu-
3 ture generations; and

4 (6) to provide appropriate linkages between
5 units of the National Park System and communities,
6 governments, and organizations within the Heritage
7 Area.

8 **SEC. 2083. DEFINITIONS.**

9 *In this subtitle:*

10 (1) *NATIONAL HERITAGE AREA.*—The term “Na-
11 tional Heritage Area” means the Abraham Lincoln
12 National Heritage Area established in this subtitle.

13 (2) *LOCAL COORDINATING ENTITY.*—The term
14 “local coordinating entity” means the Looking for
15 Lincoln Heritage Coalition, which is hereby des-
16 ignated by Congress—

17 (A) to develop, in partnership with others,
18 the management plan for the National Heritage
19 Area; and

20 (B) to act as a catalyst for the implementa-
21 tion of projects and programs among diverse
22 partners in the National Heritage Area.

23 (3) *MANAGEMENT PLAN.*—The term “manage-
24 ment plan” means the plan prepared by the local co-
25 ordinating entity for the National Heritage Area that

1 *specifies actions, policies, strategies, performance*
2 *goals, and recommendations to meet the goals of the*
3 *National Heritage Area, in accordance with this sub-*
4 *title.*

5 (4) *SECRETARY.*—*The term “Secretary” means*
6 *the Secretary of the Interior.*

7 **SEC. 2084. DESIGNATION OF ABRAHAM LINCOLN NATIONAL**
8 **HERITAGE AREA.**

9 (a) *ESTABLISHMENT.*—*There is hereby established the*
10 *Abraham Lincoln National Heritage Area.*

11 (b) *BOUNDARIES.*—

12 (1) *IN GENERAL.*—*The National Heritage Area*
13 *shall consist of sites as designated by the management*
14 *plan within a core area located in Central Illinois,*
15 *consisting of Adams, Brown, Calhoun, Cass, Cham-*
16 *paign, Christian, Clark, Coles, Cumberland, Dewitt,*
17 *Douglas, Edgar, Fayette, Fulton, Greene, Hancock,*
18 *Henderson, Jersey, Knox, LaSalle, Logan, Macon,*
19 *Macoupin, Madison, Mason, McDonough, McLean,*
20 *Menard, Montgomery, Morgan, Moultrie, Peoria,*
21 *Piatt, Pike, Sangamon, Schuyler, Scott, Shelby,*
22 *Tazwell, Vermillion, Warren and Woodford counties.*

23 (2) *MAP.*—*The boundaries of the National Herit-*
24 *age Area shall be as generally depicted on the map ti-*
25 *tled “Proposed Abraham Lincoln National Heritage*

1 *Area*”, and numbered 338/80,000, and dated July
2 2007. The map shall be on file and available to the
3 public in the appropriate offices of the National Park
4 Service and the local coordinating entity.

5 **SEC. 2085. MANAGEMENT PLAN.**

6 (a) *REQUIREMENTS.*—The management plan for the
7 National Heritage Area shall—

8 (1) describe comprehensive policies, goals, strate-
9 gies, and recommendations for telling the story of the
10 heritage of the area covered by the National Heritage
11 Area and encouraging long-term resource protection,
12 enhancement, interpretation, funding, management,
13 and development of the National Heritage Area;

14 (2) include a description of actions and commit-
15 ments that Federal, State, Tribal, and local govern-
16 ments, private organizations, and citizens will take to
17 protect, enhance, interpret, fund, manage, and develop
18 the natural, historical, cultural, educational, scenic,
19 and recreational resources of the National Heritage
20 Area;

21 (3) specify existing and potential sources of
22 funding or economic development strategies to protect,
23 enhance, interpret, fund, manage, and develop the Na-
24 tional Heritage Area;

1 (4) include an inventory of the natural, histor-
2 ical, cultural, educational, scenic, and recreational re-
3 sources of the National Heritage Area related to the
4 national importance and themes of the National Her-
5 itage Area that should be protected, enhanced, inter-
6 preted, managed, funded, and developed;

7 (5) recommend policies and strategies for re-
8 source management, including the development of
9 intergovernmental and interagency agreements to pro-
10 tect, enhance, interpret, fund, manage, and develop
11 the natural, historical, cultural, educational, scenic,
12 and recreational resources of the National Heritage
13 Area;

14 (6) describe a program for implementation for
15 the management plan, including—

16 (A) performance goals;

17 (B) plans for resource protection, enhance-
18 ment, interpretation, funding, management, and
19 development; and

20 (C) specific commitments for implementa-
21 tion that have been made by the local coordi-
22 nating entity or any Federal, State, Tribal, or
23 local government agency, organization, business,
24 or individual;

1 (7) include an analysis of, and recommendations
2 for, means by which Federal, State, Tribal, and local
3 programs may best be coordinated (including the role
4 of the National Park Service and other Federal agen-
5 cies associated with the National Heritage Area) to
6 further the purposes of this subtitle; and

7 (8) include a business plan that—

8 (A) describes the role, operation, financing,
9 and functions of the local coordinating entity
10 and of each of the major activities contained in
11 the management plan; and

12 (B) provides adequate assurances that the
13 local coordinating entity has the partnerships
14 and financial and other resources necessary to
15 implement the management plan for the Na-
16 tional Heritage Area.

17 (b) *DEADLINE.*—

18 (1) *IN GENERAL.*—Not later than 3 years after
19 the date on which funds are first made available to
20 develop the management plan after designation as a
21 National Heritage Area, the local coordinating entity
22 shall submit the management plan to the Secretary
23 for approval.

24 (2) *TERMINATION OF FUNDING.*—If the manage-
25 ment plan is not submitted to the Secretary in ac-

1 *cordance with paragraph (1), the local coordinating*
2 *entity shall not qualify for any additional financial*
3 *assistance under this subtitle until such time as the*
4 *management plan is submitted to and approved by*
5 *the Secretary.*

6 *(c) APPROVAL OF MANAGEMENT PLAN.—*

7 *(1) REVIEW.—Not later than 180 days after re-*
8 *ceiving the plan, the Secretary shall review and ap-*
9 *prove or disapprove the management plan for a Na-*
10 *tional Heritage Area on the basis of the criteria estab-*
11 *lished under paragraph (3).*

12 *(2) CONSULTATION.—The Secretary shall consult*
13 *with the Governor of each State in which the National*
14 *Heritage Area is located before approving a manage-*
15 *ment plan for the National Heritage Area.*

16 *(3) CRITERIA FOR APPROVAL.—In determining*
17 *whether to approve a management plan for a Na-*
18 *tional Heritage Area, the Secretary shall consider*
19 *whether—*

20 *(A) the local coordinating entity represents*
21 *the diverse interests of the National Heritage*
22 *Area, including Federal, State, Tribal, and local*
23 *governments, natural, and historic resource pro-*
24 *tection organizations, educational institutions,*

1 *businesses, recreational organizations, commu-*
2 *nity residents, and private property owners;*

3 *(B) the local coordinating entity—*

4 *(i) has afforded adequate opportunity*
5 *for public and Federal, State, Tribal, and*
6 *local governmental involvement (including*
7 *through workshops and hearings) in the*
8 *preparation of the management plan; and*

9 *(ii) provides for at least semiannual*
10 *public meetings to ensure adequate imple-*
11 *mentation of the management plan;*

12 *(C) the resource protection, enhancement,*
13 *interpretation, funding, management, and devel-*
14 *opment strategies described in the management*
15 *plan, if implemented, would adequately protect,*
16 *enhance, interpret, fund, manage, and develop*
17 *the natural, historic, cultural, educational, sce-*
18 *nic, and recreational resources of the National*
19 *Heritage Area;*

20 *(D) the management plan would not ad-*
21 *versely affect any activities authorized on Fed-*
22 *eral land under public land laws or land use*
23 *plans;*

1 (E) the local coordinating entity has dem-
2 onstrated the financial capability, in partner-
3 ship with others, to carry out the plan;

4 (F) the Secretary has received adequate as-
5 surances from the appropriate State, Tribal, and
6 local officials whose support is needed to ensure
7 the effective implementation of the State, Tribal,
8 and local elements of the management plan; and

9 (G) the management plan demonstrates
10 partnerships among the local coordinating enti-
11 ty, Federal, State, Tribal, and local governments,
12 regional planning organizations, nonprofit orga-
13 nizations, or private sector parties for implemen-
14 tation of the management plan.

15 (4) *DISAPPROVAL.*—

16 (A) *IN GENERAL.*—If the Secretary dis-
17 approves the management plan, the Secretary—

18 (i) shall advise the local coordinating
19 entity in writing of the reasons for the dis-
20 approval; and

21 (ii) may make recommendations to the
22 local coordinating entity for revisions to the
23 management plan.

24 (B) *DEADLINE.*—Not later than 180 days
25 after receiving a revised management plan, the

1 *Secretary shall approve or disapprove the revised*
2 *management plan.*

3 (5) *AMENDMENTS.*—

4 (A) *IN GENERAL.*—*An amendment to the*
5 *management plan that substantially alters the*
6 *purposes of the National Heritage Area shall be*
7 *reviewed by the Secretary and approved or dis-*
8 *approved in the same manner as the original*
9 *management plan.*

10 (B) *IMPLEMENTATION.*—*The local coordi-*
11 *inating entity shall not use Federal funds author-*
12 *ized by this subtitle to implement an amendment*
13 *to the management plan until the Secretary ap-*
14 *proves the amendment.*

15 (6) *AUTHORITIES.*—*The Secretary may—*

16 (A) *provide technical assistance under the*
17 *authority of this subtitle for the development and*
18 *implementation of the management plan; and*

19 (B) *enter into cooperative agreements with*
20 *interested parties to carry out this subtitle.*

21 **SEC. 2086. EVALUATION; REPORT.**

22 (a) *IN GENERAL.*—*Not later than 3 years before the*
23 *date on which authority for Federal funding terminates for*
24 *the National Heritage Area under this subtitle, the Sec-*
25 *retary shall—*

1 (1) *conduct an evaluation of the accomplish-*
2 *ments of the National Heritage Area; and*

3 (2) *prepare a report in accordance with sub-*
4 *section (c).*

5 (b) *EVALUATION.—An evaluation conducted under*
6 *subsection (a)(1) shall—*

7 (1) *assess the progress of the local coordinating*
8 *entity with respect to—*

9 (A) *accomplishing the purposes of the au-*
10 *thorizing legislation for the National Heritage*
11 *Area; and*

12 (B) *achieving the goals and objectives of the*
13 *approved management plan for the National*
14 *Heritage Area;*

15 (2) *analyze the Federal, State, Tribal, and local,*
16 *and private investments in the National Heritage*
17 *Area to determine the impact of the investments; and*

18 (3) *review the management structure, partner-*
19 *ship relationships, and funding of the National Herit-*
20 *age Area for purposes of identifying the critical com-*
21 *ponents for sustainability of the National Heritage*
22 *Area.*

23 (c) *REPORT.—Based on the evaluation conducted*
24 *under subsection (a)(1), the Secretary shall submit a report*
25 *to the Committee on Natural Resources of the United States*

1 *House of Representatives and the Committee on Energy and*
2 *Natural Resources of the United States Senate. The report*
3 *shall include recommendations for the future role of the Na-*
4 *tional Park Service, if any, with respect to the National*
5 *Heritage Area.*

6 **SEC. 2087. LOCAL COORDINATING ENTITY.**

7 (a) *DUTIES.—To further the purposes of the National*
8 *Heritage Area, the Looking for Lincoln Heritage Coalition,*
9 *as the local coordinating entity, shall—*

10 (1) *prepare a management plan for the National*
11 *Heritage Area, and submit the management plan to*
12 *the Secretary, in accordance with this subtitle;*

13 (2) *submit an annual report to the secretary for*
14 *each fiscal year for which the local coordinating enti-*
15 *ty receives Federal funds under this subtitle, speci-*
16 *fying—*

17 (A) *the specific performance goals and ac-*
18 *complishments of the local coordinating entity;*

19 (B) *the expenses and income of the local co-*
20 *ordinating entity;*

21 (C) *the amounts and sources of matching*
22 *funds;*

23 (D) *the amounts leveraged with Federal*
24 *funds and sources of the leveraging; and*

1 (E) grants made to any other entities dur-
2 ing the fiscal year;

3 (3) make available for audit for each fiscal year
4 for which the local coordinating entity receives Fed-
5 eral funds under this subtitle, all information per-
6 taining to the expenditure of the funds and any
7 matching funds; and

8 (4) encourage economic viability and sustain-
9 ability that is consistent with the purposes of the Na-
10 tional Heritage Area.

11 (b) *AUTHORITIES.*—For the purposes of preparing and
12 implementing the approved management plan for the Na-
13 tional Heritage Area, the local coordinating entity may use
14 Federal funds made available under this subtitle to—

15 (1) make grants to political jurisdictions, non-
16 profit organizations, and other parties within the Na-
17 tional Heritage Area;

18 (2) enter into cooperative agreements with or
19 provide technical assistance to political jurisdictions,
20 nonprofit organizations, Federal agencies, and other
21 interested parties;

22 (3) hire and compensate staff, including individ-
23 uals with expertise in—

1 (A) *natural, historical, cultural, edu-*
2 *cational, scenic, and recreational resource con-*
3 *servation;*

4 (B) *economic and community development;*
5 *and*

6 (C) *heritage planning;*

7 (4) *obtain funds or services from any source, in-*
8 *cluding other Federal programs;*

9 (5) *contract for goods or services; and*

10 (6) *support activities of partners and any other*
11 *activities that further the purposes of the National*
12 *Heritage Area and are consistent with the approved*
13 *management plan.*

14 (c) *PROHIBITION ON ACQUISITION OF REAL PROP-*
15 *ERTY.—The local coordinating entity may not use Federal*
16 *funds authorized under this subtitle to acquire any interest*
17 *in real property.*

18 **SEC. 2088. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

19 (a) *IN GENERAL.—Nothing in this subtitle affects the*
20 *authority of a Federal agency to provide technical or finan-*
21 *cial assistance under any other law.*

22 (b) *CONSULTATION AND COORDINATION.—The head of*
23 *any Federal agency planning to conduct activities that may*
24 *have an impact on a National Heritage Area is encouraged*
25 *to consult and coordinate the activities with the Secretary*

1 *and the local coordinating entity to the maximum extent*
2 *practicable.*

3 (c) *OTHER FEDERAL AGENCIES.*—*Nothing in this sub-*
4 *title—*

5 (1) *modifies, alters, or amends any law or regu-*
6 *lation authorizing a Federal agency to manage Fed-*
7 *eral land under the jurisdiction of the Federal agency;*

8 (2) *limits the discretion of a Federal land man-*
9 *ager to implement an approved land use plan within*
10 *the boundaries of a National Heritage Area; or*

11 (3) *modifies, alters, or amends any authorized*
12 *use of Federal land under the jurisdiction of a Fed-*
13 *eral agency.*

14 **SEC. 2089. PRIVATE PROPERTY AND REGULATORY PROTEC-**
15 **TIONS.**

16 *Nothing in this subtitle—*

17 (1) *abridges the rights of any property owner*
18 *(whether public or private), including the right to re-*
19 *frain from participating in any plan, project, pro-*
20 *gram, or activity conducted within the National Her-*
21 *itage Area;*

22 (2) *requires any property owner to permit public*
23 *access (including access by Federal, State, Tribal, or*
24 *local agencies) to the property of the property owner,*
25 *or to modify public access or use of property of the*

1 *property owner under any other Federal, State, Trib-*
2 *al, or local law;*

3 *(3) alters any duly adopted land use regulation,*
4 *approved land use plan, or other regulatory authority*
5 *of any Federal, State, Tribal, or local agency, or con-*
6 *veys any land use or other regulatory authority to*
7 *any local coordinating entity, including but not nec-*
8 *essarily limited to development and management of*
9 *energy, water, or water-related infrastructure;*

10 *(4) authorizes or implies the reservation or ap-*
11 *propriation of water or water rights;*

12 *(5) diminishes the authority of the State to man-*
13 *age fish and wildlife, including the regulation of fish-*
14 *ing and hunting within the National Heritage Area;*
15 *or*

16 *(6) creates any liability, or affects any liability*
17 *under any other law, of any private property owner*
18 *with respect to any person injured on the private*
19 *property.*

20 **SEC. 2090. AUTHORIZATION OF APPROPRIATIONS.**

21 *(a) AUTHORIZATION OF APPROPRIATIONS.—Subject to*
22 *subsection (b), there are authorized to be appropriated to*
23 *carry out this subtitle not more than \$1,000,000 for any*
24 *fiscal year. Funds so appropriated shall remain available*
25 *until expended.*

1 (b) *LIMITATION ON TOTAL AMOUNTS APPRO-*
 2 *PRIATED.—Not more than \$15,000,000 may be appro-*
 3 *priated to carry out this subtitle.*

4 (c) *COST-SHARING REQUIREMENT.—The Federal*
 5 *share of the total cost of any activity under this subtitle*
 6 *shall be not more than 50 percent; the non-Federal contribu-*
 7 *tion may be in the form of in-kind contributions of goods*
 8 *or services fairly valued.*

9 **SEC. 2091. USE OF FEDERAL FUNDS FROM OTHER SOURCES.**

10 *Nothing in this subtitle shall preclude the local coordi-*
 11 *nating entity from using Federal funds available under*
 12 *other laws for the purposes for which those funds were au-*
 13 *thorized.*

14 **SEC. 2092. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

15 *The authority of the Secretary to provide financial as-*
 16 *sistance under this subtitle terminates on the date that is*
 17 *15 years after the date of the enactment of this subtitle.*

18 ***Subtitle F—Santa Cruz Valley***
 19 ***National Heritage Area***

20 **SEC. 2111. SHORT TITLE; TABLE OF CONTENTS.**

21 (a) *SHORT TITLE.—This subtitle may be cited as the*
 22 *“Santa Cruz Valley National Heritage Area Act”.*

23 (b) *TABLE OF CONTENTS.—The table of contents of this*
 24 *subtitle is as follows:*

Sec. 2111. Short title; table of contents.
Sec. 2112. Purposes.
Sec. 2113. Definitions.

Sec. 2114. Designation of Santa Cruz Valley National Heritage Area.

Sec. 2115. Management plan.

Sec. 2116. Evaluation; report.

Sec. 2117. Local coordinating entity.

Sec. 2118. Relationship to other Federal agencies.

Sec. 2119. Private property and regulatory protections.

Sec. 2120. Authorization of appropriations.

Sec. 2121. Use of Federal funds from other sources.

Sec. 2122. Sunset for grants and other assistance.

1 **SEC. 2112. PURPOSES.**

2 *The purposes of this subtitle include—*

3 *(1) to establish the Santa Cruz Valley National*
4 *Heritage Area in the State of Arizona;*

5 *(2) to implement the recommendations of the*
6 *“Alternative Concepts for Commemorating Spanish*
7 *Colonization” study completed by the National Park*
8 *Service in 1991, and the “Feasibility Study for the*
9 *Santa Cruz Valley National Heritage Area” prepared*
10 *by the Center for Desert Archaeology in July 2005;*

11 *(3) to provide a management framework to foster*
12 *a close working relationship with all levels of govern-*
13 *ment, the private sector, and the local communities in*
14 *the region and to conserve the region’s heritage while*
15 *continuing to pursue compatible economic opportuni-*
16 *ties;*

17 *(4) to assist communities, organizations, and*
18 *citizens in the State of Arizona in identifying, pre-*
19 *serving, interpreting, and developing the historical,*
20 *cultural, scenic, and natural resources of the region*

1 *for the educational and inspirational benefit of cur-*
2 *rent and future generations; and*

3 *(5) to provide appropriate linkages between*
4 *units of the National Park System and communities,*
5 *governments, and organizations within the National*
6 *Heritage Area.*

7 **SEC. 2113. DEFINITIONS.**

8 *In this subtitle:*

9 *(1) NATIONAL HERITAGE AREA.—The term “Na-*
10 *tional Heritage Area” means the Santa Cruz Valley*
11 *National Heritage Area established in this subtitle.*

12 *(2) LOCAL COORDINATING ENTITY.—The term*
13 *“local coordinating entity” means the Santa Cruz*
14 *Valley Heritage Alliance, Inc., which is hereby des-*
15 *ignated by Congress—*

16 *(A) to develop, in partnership with others,*
17 *the management plan for the National Heritage*
18 *Area; and*

19 *(B) to act as a catalyst for the implementa-*
20 *tion of projects and programs among diverse*
21 *partners in the National Heritage Area.*

22 *(3) MANAGEMENT PLAN.—The term “manage-*
23 *ment plan” means the plan prepared by the local co-*
24 *ordinating entity for the National Heritage Area that*
25 *specifies actions, policies, strategies, performance*

1 *goals, and recommendations to meet the goals of the*
2 *National Heritage Area, in accordance with this sub-*
3 *title.*

4 (4) *SECRETARY.*—*The term “Secretary” means*
5 *the Secretary of the Interior.*

6 **SEC. 2114. DESIGNATION OF SANTA CRUZ VALLEY NA-**
7 **TIONAL HERITAGE AREA.**

8 (a) *ESTABLISHMENT.*—*There is hereby established the*
9 *Santa Cruz Valley National Heritage Area.*

10 (b) *BOUNDARIES.*—

11 (1) *IN GENERAL.*—*The National Heritage Area*
12 *shall consist of portions of the counties of Santa Cruz*
13 *and Pima.*

14 (2) *MAP.*—*The boundaries of the National Herit-*
15 *age Area shall be as generally depicted on the map ti-*
16 *tled “Santa Cruz Valley National Heritage Area”,*
17 *and numbered _____, and dated*
18 *_____.* *The map be on file and available*
19 *to the public in the appropriate offices of the National*
20 *Park Service and the local coordinating entity.*

21 **SEC. 2115. MANAGEMENT PLAN.**

22 (a) *REQUIREMENTS.*—*The management plan for the*
23 *National Heritage Area shall—*

24 (1) *describe comprehensive policies, goals, strate-*
25 *gies, and recommendations for telling the story of the*

1 *heritage of the area covered by the National Heritage*
2 *Area and encouraging long-term resource protection,*
3 *enhancement, interpretation, funding, management,*
4 *and development of the National Heritage Area;*

5 *(2) include a description of actions and commit-*
6 *ments that Federal, State, Tribal, and local govern-*
7 *ments, private organizations, and citizens will take to*
8 *protect, enhance, interpret, fund, manage, and develop*
9 *the natural, historical, cultural, educational, scenic,*
10 *and recreational resources of the National Heritage*
11 *Area;*

12 *(3) specify existing and potential sources of*
13 *funding or economic development strategies to protect,*
14 *enhance, interpret, fund, manage, and develop the Na-*
15 *tional Heritage Area;*

16 *(4) include an inventory of the natural, histor-*
17 *ical, cultural, educational, scenic, and recreational re-*
18 *sources of the National Heritage Area related to the*
19 *national importance and themes of the National Her-*
20 *itage Area that should be protected, enhanced, inter-*
21 *preted, managed, funded, and developed;*

22 *(5) recommend policies and strategies for re-*
23 *source management, including the development of*
24 *intergovernmental and interagency agreements to pro-*
25 *tect, enhance, interpret, fund, manage, and develop*

1 *the natural, historical, cultural, educational, scenic,*
2 *and recreational resources of the National Heritage*
3 *Area;*

4 (6) *describe a program for implementation for*
5 *the management plan, including—*

6 (A) *performance goals;*

7 (B) *plans for resource protection, enhance-*
8 *ment, interpretation, funding, management, and*
9 *development; and*

10 (C) *specific commitments for implementa-*
11 *tion that have been made by the local coordi-*
12 *nating entity or any Federal, State, Tribal, or*
13 *local government agency, organization, business,*
14 *or individual;*

15 (7) *include an analysis of, and recommendations*
16 *for, means by which Federal, State, Tribal, and local*
17 *programs may best be coordinated (including the role*
18 *of the National Park Service and other Federal agen-*
19 *cies associated with the National Heritage Area) to*
20 *further the purposes of this subtitle; and*

21 (8) *include a business plan that—*

22 (A) *describes the role, operation, financing,*
23 *and functions of the local coordinating entity*
24 *and of each of the major activities contained in*
25 *the management plan; and*

1 (B) provides adequate assurances that the
2 local coordinating entity has the partnerships
3 and financial and other resources necessary to
4 implement the management plan for the Na-
5 tional Heritage Area.

6 (b) *DEADLINE.*—

7 (1) *IN GENERAL.*—Not later than 3 years after
8 the date on which funds are first made available to
9 develop the management plan after designation as a
10 National Heritage Area, the local coordinating entity
11 shall submit the management plan to the Secretary
12 for approval.

13 (2) *TERMINATION OF FUNDING.*—If the manage-
14 ment plan is not submitted to the Secretary in ac-
15 cordance with paragraph (1), the local coordinating
16 entity shall not qualify for any additional financial
17 assistance under this subtitle until such time as the
18 management plan is submitted to and approved by
19 the Secretary.

20 (c) *APPROVAL OF MANAGEMENT PLAN.*—

21 (1) *REVIEW.*—Not later than 180 days after re-
22 ceiving the plan, the Secretary shall review and ap-
23 prove or disapprove the management plan for a Na-
24 tional Heritage Area on the basis of the criteria estab-
25 lished under paragraph (3).

1 (2) *CONSULTATION.*—*The Secretary shall consult*
2 *with the Governor of each State in which the National*
3 *Heritage Area is located before approving a manage-*
4 *ment plan for the National Heritage Area.*

5 (3) *CRITERIA FOR APPROVAL.*—*In determining*
6 *whether to approve a management plan for a Na-*
7 *tional Heritage Area, the Secretary shall consider*
8 *whether—*

9 (A) *the local coordinating entity represents*
10 *the diverse interests of the National Heritage*
11 *Area, including Federal, State, Tribal, and local*
12 *governments, natural and historic resource pro-*
13 *tection organizations, educational institutions,*
14 *businesses, recreational organizations, commu-*
15 *nity residents, and private property owners;*

16 (B) *the local coordinating entity—*

17 (i) *has afforded adequate opportunity*
18 *for public and Federal, State, Tribal, and*
19 *local governmental involvement (including*
20 *through workshops and hearings) in the*
21 *preparation of the management plan; and*

22 (ii) *provides for at least semiannual*
23 *public meetings to ensure adequate imple-*
24 *mentation of the management plan;*

1 (C) *the resource protection, enhancement,*
2 *interpretation, funding, management, and devel-*
3 *opment strategies described in the management*
4 *plan, if implemented, would adequately protect,*
5 *enhance, interpret, fund, manage, and develop*
6 *the natural, historic, cultural, educational, sce-*
7 *nic, and recreational resources of the National*
8 *Heritage Area;*

9 (D) *the management plan would not ad-*
10 *versely affect any activities authorized on Fed-*
11 *eral land under public land laws or land use*
12 *plans;*

13 (E) *the local coordinating entity has dem-*
14 *onstrated the financial capability, in partner-*
15 *ship with others, to carry out the plan;*

16 (F) *the Secretary has received adequate as-*
17 *surances from the appropriate State, Tribal, and*
18 *local officials whose support is needed to ensure*
19 *the effective implementation of the State, Tribal,*
20 *and local elements of the management plan; and*

21 (G) *the management plan demonstrates*
22 *partnerships among the local coordinating enti-*
23 *ty, Federal, State, Tribal, and local governments,*
24 *regional planning organizations, nonprofit orga-*

1 nizations, or private sector parties for implemen-
2 tation of the management plan.

3 (4) *DISAPPROVAL.*—

4 (A) *IN GENERAL.*—If the Secretary dis-
5 approves the management plan, the Secretary—

6 (i) shall advise the local coordinating
7 entity in writing of the reasons for the dis-
8 approval; and

9 (ii) may make recommendations to the
10 local coordinating entity for revisions to the
11 management plan.

12 (B) *DEADLINE.*—Not later than 180 days
13 after receiving a revised management plan, the
14 Secretary shall approve or disapprove the revised
15 management plan.

16 (5) *AMENDMENTS.*—

17 (A) *IN GENERAL.*—An amendment to the
18 management plan that substantially alters the
19 purposes of the National Heritage Area shall be
20 reviewed by the Secretary and approved or dis-
21 approved in the same manner as the original
22 management plan.

23 (B) *IMPLEMENTATION.*—The local coordi-
24 nating entity shall not use Federal funds author-
25 ized by this subtitle to implement an amendment

1 to the management plan until the Secretary ap-
2 proves the amendment.

3 (6) *AUTHORITIES.*—*The Secretary may—*

4 (A) *provide technical assistance under the*
5 *authority of this subtitle for the development and*
6 *implementation of the management plan; and*

7 (B) *enter into cooperative agreements with*
8 *interested parties to carry out this subtitle.*

9 **SEC. 2116. EVALUATION; REPORT.**

10 (a) *IN GENERAL.*—*Not later than 3 years before the*
11 *date on which authority for Federal funding terminates for*
12 *the National Heritage Area under this subtitle, the Sec-*
13 *retary shall—*

14 (1) *conduct an evaluation of the accomplish-*
15 *ments of the National Heritage Area; and*

16 (2) *prepare a report in accordance with sub-*
17 *section (c).*

18 (b) *EVALUATION.*—*An evaluation conducted under*
19 *subsection (a)(1) shall—*

20 (1) *assess the progress of the local coordinating*
21 *entity with respect to—*

22 (A) *accomplishing the purposes of the au-*
23 *thorizing legislation for the National Heritage*
24 *Area; and*

1 (B) achieving the goals and objectives of the
2 approved management plan for the National
3 Heritage Area;

4 (2) analyze the Federal, State, Tribal, and local,
5 and private investments in the National Heritage
6 Area to determine the impact of the investments; and

7 (3) review the management structure, partner-
8 ship relationships, and funding of the National Herit-
9 age Area for purposes of identifying the critical com-
10 ponents for sustainability of the National Heritage
11 Area.

12 (c) *REPORT.*—Based on the evaluation conducted
13 under subsection (a)(1), the Secretary shall submit a report
14 to the Committee on Natural Resources of the United States
15 House of Representatives and the Committee on Energy and
16 Natural Resources of the United States Senate. The report
17 shall include recommendations for the future role of the Na-
18 tional Park Service, if any, with respect to the National
19 Heritage Area.

20 **SEC. 2117. LOCAL COORDINATING ENTITY.**

21 (a) *DUTIES.*—To further the purposes of the National
22 Heritage Area, the Santa Cruz Valley Heritage Alliance,
23 Inc., as the local coordinating entity, shall—

1 (1) *prepare a management plan for the National*
2 *Heritage Area, and submit the management plan to*
3 *the Secretary, in accordance with this subtitle;*

4 (2) *submit an annual report to the Secretary for*
5 *each fiscal year for which the local coordinating enti-*
6 *ty receives Federal funds under this subtitle, speci-*
7 *fying—*

8 (A) *the specific performance goals and ac-*
9 *complishments of the local coordinating entity;*

10 (B) *the expenses and income of the local co-*
11 *ordinating entity;*

12 (C) *the amounts and sources of matching*
13 *funds;*

14 (D) *the amounts leveraged with Federal*
15 *funds and sources of the leveraging; and*

16 (E) *grants made to any other entities dur-*
17 *ing the fiscal year;*

18 (3) *make available for audit for each fiscal year*
19 *for which the local coordinating entity receives Fed-*
20 *eral funds under this subtitle, all information per-*
21 *taining to the expenditure of the funds and any*
22 *matching funds; and*

23 (4) *encourage economic viability and sustain-*
24 *ability that is consistent with the purposes of the Na-*
25 *tional Heritage Area.*

1 **(b) AUTHORITIES.**—*For the purposes of preparing and*
2 *implementing the approved management plan for the Na-*
3 *tional Heritage Area, the local coordinating entity may use*
4 *Federal funds made available under this subtitle to—*

5 (1) *make grants to political jurisdictions, non-*
6 *profit organizations, and other parties within the Na-*
7 *tional Heritage Area;*

8 (2) *enter into cooperative agreements with or*
9 *provide technical assistance to political jurisdictions,*
10 *nonprofit organizations, Federal agencies, and other*
11 *interested parties;*

12 (3) *hire and compensate staff, including individ-*
13 *uals with expertise in—*

14 (A) *natural, historical, cultural, edu-*
15 *cational, scenic, and recreational resource con-*
16 *servation;*

17 (B) *economic and community development;*
18 *and*

19 (C) *heritage planning;*

20 (4) *obtain funds or services from any source, in-*
21 *cluding other Federal programs;*

22 (5) *contract for goods or services; and*

23 (6) *support activities of partners and any other*
24 *activities that further the purposes of the National*

1 *Heritage Area and are consistent with the approved*
2 *management plan.*

3 (c) *PROHIBITION ON ACQUISITION OF REAL PROP-*
4 *ERTY.—The local coordinating entity may not use Federal*
5 *funds authorized under this subtitle to acquire any interest*
6 *in real property.*

7 **SEC. 2118. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

8 (a) *IN GENERAL.—Nothing in this subtitle affects the*
9 *authority of a Federal agency to provide technical or finan-*
10 *cial assistance under any other law.*

11 (b) *CONSULTATION AND COORDINATION.—The head of*
12 *any Federal agency planning to conduct activities that may*
13 *have an impact on a National Heritage Area is encouraged*
14 *to consult and coordinate the activities with the Secretary*
15 *and the local coordinating entity to the maximum extent*
16 *practicable.*

17 (c) *OTHER FEDERAL AGENCIES.—Nothing in this sub-*
18 *title—*

19 (1) *modifies, alters, or amends any law or regu-*
20 *lation authorizing a Federal agency to manage Fed-*
21 *eral land under the jurisdiction of the Federal agency;*

22 (2) *limits the discretion of a Federal land man-*
23 *ager to implement an approved land use plan within*
24 *the boundaries of a National Heritage Area; or*

1 (4) *authorizes or implies the reservation or ap-*
2 *propriation of water or water rights;*

3 (5) *diminishes the authority of the State to man-*
4 *age fish and wildlife, including the regulation of fish-*
5 *ing and hunting within the National Heritage Area;*
6 *or*

7 (6) *creates any liability, or affects any liability*
8 *under any other law, of any private property owner*
9 *with respect to any person injured on the private*
10 *property.*

11 **SEC. 2120. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) *AUTHORIZATION OF APPROPRIATIONS.—Subject to*
13 *subsection (b), there are authorized to be appropriated to*
14 *carry out this subtitle not more than \$1,000,000 for any*
15 *fiscal year. Funds so appropriated shall remain available*
16 *until expended.*

17 (b) *LIMITATION ON TOTAL AMOUNTS APPRO-*
18 *PRIATED.—Not more than \$15,000,000 may be appro-*
19 *priated to carry out this subtitle.*

20 (c) *COST-SHARING REQUIREMENT.—The Federal*
21 *share of the total cost of any activity under this subtitle*
22 *shall be not more than 50 percent; the non-Federal contribu-*
23 *tion may be in the form of in-kind contributions of goods*
24 *or services fairly valued.*

1 **SEC. 2121. USE OF FEDERAL FUNDS FROM OTHER SOURCES.**

2 *Nothing in this subtitle shall preclude the local coordi-*
 3 *nating entity from using Federal funds available under*
 4 *other laws for the purposes for which those funds were au-*
 5 *thorized.*

6 **SEC. 2122. SUNSET FOR GRANTS AND OTHER ASSISTANCE.**

7 *The authority of the Secretary to provide financial as-*
 8 *sistance under this subtitle terminates on the date that is*
 9 *15 years after the date of enactment of this subtitle.*

10 **TITLE III—STUDY**

11 **SEC. 3001. STUDY AND REPORT OF PROPOSED NORTHERN**
 12 **NECK NATIONAL HERITAGE AREA.**

13 *(a) The Secretary of the Interior (hereafter referred to*
 14 *as “the Secretary”), in consultation with appropriate State*
 15 *historic preservation officers, State historical societies, and*
 16 *other appropriate organizations, shall conduct a study of*
 17 *the suitability and feasibility of designating the area de-*
 18 *scribed in subsection (d) as the Northern Neck National*
 19 *Heritage Area in the Commonwealth of Virginia.*

20 *(b) CRITERIA.—In conducting the study, the Secretary*
 21 *shall apply the following criteria to determine the suit-*
 22 *ability and feasibility of designating the area described in*
 23 *subsection (d) as a National Heritage Area:*

24 *(1) The area—*

25 *(A) has an assemblage of natural, historic,*
 26 *cultural, educational, scenic, or recreational re-*

1 *sources that together are nationally important to*
2 *the heritage of the United States;*

3 *(B) represents distinctive aspects of the her-*
4 *itage of the United States worthy of recognition,*
5 *conservation, interpretation, and continuing use;*

6 *(C) is best managed as such an assemblage*
7 *through partnerships among public and private*
8 *entities at the local or regional level;*

9 *(D) reflects traditions, customs, beliefs, and*
10 *folklife that are a valuable part of the heritage*
11 *of the United States;*

12 *(E) provides outstanding opportunities to*
13 *conserve natural, historical, cultural, or scenic*
14 *features;*

15 *(F) provides outstanding recreational or*
16 *educational opportunities; and*

17 *(G) has resources and traditional uses that*
18 *have national importance.*

19 *(2) Residents, business interests, nonprofit orga-*
20 *nizations, and governments (including relevant Fed-*
21 *eral land management agencies) within the proposed*
22 *area are involved in the planning and have dem-*
23 *onstrated significant support through letters and*
24 *other means for National Heritage Area designation*
25 *and management.*

1 (3) *The local coordinating entity responsible for*
2 *preparing and implementing the management plan is*
3 *identified.*

4 (4) *The proposed local coordinating entity and*
5 *units of government supporting the designation have*
6 *documented their commitment to work in partnership*
7 *to protect, enhance, interpret, fund, manage, and de-*
8 *velop resources within the National Heritage Area.*

9 (5) *The proposed local coordinating entity has*
10 *developed a conceptual financial plan that outlines*
11 *the roles of all participants (including the Federal*
12 *Government) in the management of the National Her-*
13 *itage Area.*

14 (6) *The proposal is consistent with continued*
15 *economic activity within the area.*

16 (7) *A conceptual boundary map has been devel-*
17 *oped and is supported by the public and partici-*
18 *pating Federal agencies.*

19 (c) *CONSULTATION.*—*In conducting the study, the Sec-*
20 *retary shall consult with the managers of any Federal land*
21 *within the proposed National Heritage Area and secure the*
22 *concurrence of the managers with the findings of the study*
23 *before making a determination for designation.*

1 (d) *BOUNDARIES OF THE STUDY AREA.*—*The study*
2 *area referred to in subsection (a) shall be comprised of the*
3 *following:*

4 (1) *The part of Virginia between the Potomac*
5 *and the Rappahannock Rivers in eastern coastal Vir-*
6 *ginia.*

7 (2) *Westmoreland, Northumberland, Richmond,*
8 *King George, and Lancaster Counties, Virginia.*

9 (3) *Other areas that have heritage aspects that*
10 *are similar to those aspects that are in the areas de-*
11 *scribed in paragraphs (1) and (2) and which are ad-*
12 *acent to or in the vicinity of those areas.*

13 (e) *REPORT.*—*The Secretary shall*

14 (1) *review, comment on, and determine if the*
15 *study meets the criteria specified in subsection (b) for*
16 *designation as a National Heritage Area;*

17 (2) *consult with the Governor of the Common-*
18 *wealth of Virginia; and*

19 (3) *not later than 3 fiscal years after the date on*
20 *which funds are first made available for this section,*
21 *submit to the Committee on Natural Resources of the*
22 *House of Representatives and the Committee on En-*
23 *ergy and Natural Resources of the Senate a report on*
24 *the findings, conclusions and recommendations of the*
25 *study, including—*

1 (A) any comments received from the Gov-
2 ernor of the Commonwealth of Virginia; and

3 (B) a finding as to whether the proposed
4 National Heritage Area meets the criteria for
5 designation.

6 (f) *DISAPPROVAL.*—If the Secretary determines that
7 the proposed National Heritage Area does not meet the cri-
8 teria for designation, the Secretary shall include within the
9 study submitted under subsection (e)(3) a description of the
10 reasons for the determination.

11 **TITLE IV—TECHNICAL**
12 **CORRECTIONS AND ADDITIONS**

13 **SEC. 4001. NATIONAL COAL HERITAGE AREA TECHNICAL**
14 **CORRECTIONS.**

15 Title I of Division II of the Omnibus Parks and Public
16 Lands Management Act of 1996 (Public Law 104–333 as
17 amended by Public Law 106–176 and Public Law 109–338)
18 is amended—

19 (1) by striking section 103(b) and inserting the
20 following:

21 “(b) *BOUNDARIES.*—The National Coal Heritage Area
22 shall be comprised of Lincoln County, West Virginia, and
23 Paint Creek and Cabin Creek within Kanawah County,
24 West Virginia, and the counties that are the subject of the
25 study by the National Park Service, dated 1993, entitled

1 *‘A Coal Mining Heritage Study: Southern West Virginia’*
2 *conducted pursuant to title VI of Public Law 100–699.’;*

3 *(2) by striking section 105 and inserting the fol-*
4 *lowing:*

5 **“SEC. 105. ELIGIBLE RESOURCES.**

6 *“(a) IN GENERAL.—The resources eligible for the as-*
7 *sistance under section 104 shall include—*

8 *“(1) resources in Lincoln County, West Virginia,*
9 *and Paint Creek and Cabin Creek in Kanawah Coun-*
10 *ty, West Virginia, as determined to be appropriate by*
11 *the National Coal Heritage Area Authority; and*

12 *“(2) the resources set forth in appendix D of the*
13 *study by the National Park Service, dated 1993, enti-*
14 *tled ‘A Coal Mining Heritage Study: Southern West*
15 *Virginia’ conducted pursuant to title VI of Public*
16 *Law 100–699.*

17 *“(b) PRIORITY.—Priority consideration shall be given*
18 *to those sites listed as ‘Conservation Priorities’ and ‘Impor-*
19 *tant Historic Resources’ as depicted on the map entitled*
20 *‘Study Area: Historic Resources’ in such study.’;*

21 *(3) in section 106(a)—*

22 *(A) by striking “Governor” and all that fol-*
23 *lows through “Parks,” and inserting “National*
24 *Coal Heritage Area Authority”; and*

1 (B) in paragraph (3), by striking “State of
2 West Virginia” and all that follows through “en-
3 tities, or” and inserting “National Coal Heritage
4 Area Authority or”; and
5 (4) in section 106(b), by inserting “not” before
6 “meet”.

7 **SEC. 4002. RIVERS OF STEEL NATIONAL HERITAGE AREA**
8 **ADDITION.**

9 Section 403(b) of title IV of Division II of the Omnibus
10 Parks and Public Lands Management Act of 1996 (Public
11 Law 104–333) is amended by inserting “Butler,” after
12 “Beaver,”.

13 **SEC. 4003. SOUTH CAROLINA NATIONAL HERITAGE COR-**
14 **RIDOR ADDITION.**

15 Section 604(b)(2) of title VI of Division II of the Om-
16 nibus Parks and Public Lands Management Act of 1996
17 is amended by adding at the end the following new subpara-
18 graphs:

19 “(O) Berkeley County.

20 “(P) Saluda County.

21 “(Q) The portion of Georgetown County
22 that is not part of the Gullah/Geechee Cultural
23 Heritage Corridor.”.

1 **SEC. 4004. OHIO AND ERIE CANAL NATIONAL HERITAGE**
2 **CORRIDOR TECHNICAL CORRECTIONS.**

3 *Title VIII of Division II of the Omnibus Parks and*
4 *Public Lands Management Act of 1996 (Public Law 104–*
5 *333) is amended—*

6 (1) *by striking “Canal National Heritage Cor-*
7 *ridor” each place it appears and inserting “National*
8 *Heritage Canalway”;*

9 (2) *by striking “corridor” each place it appears*
10 *and inserting “canalway”, except in references to the*
11 *feasibility study and management plan;*

12 (3) *in the heading of section 808(a)(3), by strik-*
13 *ing “CORRIDOR” and inserting “CANALWAY”;*

14 (4) *in the title heading, by striking “CANAL*
15 *NATIONAL HERITAGE CORRIDOR” and*
16 *inserting “NATIONAL HERITAGE*
17 *CANALWAY”;*

18 (5) *in section 803—*

19 (A) *by striking paragraph (2);*

20 (B) *by redesignating paragraphs (3), (4),*
21 *(5), (6), and (7) as paragraphs (2), (3), (4), (5),*
22 *and (6), respectively;*

23 (C) *in paragraph (2) (as redesignated by*
24 *this Act), by striking “808” and inserting “806”;*
25 *and*

1 (D) in paragraph (6) (as redesignated by
2 this Act), by striking “807(a)” and inserting
3 “805(a”;

4 (6) in the heading of section 804, by striking
5 “**CANAL NATIONAL HERITAGE CORRIDOR**” and
6 inserting “**NATIONAL HERITAGE CANALWAY**”;

7 (7) in the second sentence of section 804(b)(1), by
8 striking “808” and inserting “806”;

9 (8) by striking sections 805 and 806;

10 (9) by redesignating sections 807, 808, 809, 810,
11 811, and 812 as sections 805, 806, 807, 808, 809, and
12 810, respectively;

13 (10) in section 805(c)(2) (as redesignated by this
14 Act), by striking “808” and inserting “806”;

15 (11) in section 806 (as redesignated by this
16 Act)—

17 (A) in subsection (a)(1), by striking “Com-
18 mittee” and inserting “Secretary”;

19 (B) in the heading of subsection (a)(1), by
20 striking “COMMITTEE” and inserting “SEC-
21 RETARY”;

22 (C) in subsection (a)(3), in the first sen-
23 tence of subparagraph (B), by striking “Com-
24 mittee” and inserting “management entity”;

1 (D) in subsection (e), by striking
2 “807(d)(1)” and inserting “805(d)(1)”; and

3 (E) in subsection (f), by striking
4 “807(d)(1)” and inserting “805(d)(1)”;
5 (12) in section 807 (as redesignated by this Act),

6 in subsection (c) by striking “Cayohoga Valley Na-
7 tional Recreation Area” and inserting “Cayohoga
8 Valley National Park”;

9 (13) in section 808 (as redesignated by this
10 Act)—

11 (A) in subsection (b), by striking “Com-
12 mittee or”; and

13 (B) in subsection (c), in the matter before
14 paragraph (1), by striking “Committee” and in-
15 serting “management entity”; and

16 (14) in section 809 (as redesignated by Act), by
17 striking “assistance” and inserting “financial assist-
18 ance”.

19 **SEC. 4005. NEW JERSEY COASTAL HERITAGE TRAIL ROUTE**
20 **EXTENSION OF AUTHORIZATION.**

21 Section 6 of Public Law 100–515 (16 U.S.C. 1244
22 note) is amended as follows:

23 (1) Strike paragraph (1) of subsection (b) and
24 insert the following new paragraph:

1 “(1) *IN GENERAL*.—Amounts made available
2 under subsection (a) shall be used only for—

3 “(A) *technical assistance*;

4 “(B) *the design and fabrication of interpre-*
5 *tive materials, devices, and signs; and*

6 “(C) *the preparation of the strategic plan.*”.

7 (2) *Paragraph (3) of subsection (b) is amended*
8 *by inserting after subparagraph (B) a new subpara-*
9 *graph as follows:*

10 “(C) *Notwithstanding paragraph (3)(A),*
11 *funds made available under subsection (a) for*
12 *the preparation of the strategic plan shall not re-*
13 *quire a non-Federal match.*”.

14 (3) *Subsection (c) is amended by striking “2007”*
15 *and inserting “2011”.*

16 **SEC. 4006. ERIE CANALWAY NATIONAL HERITAGE COR-**
17 **RIDOR TECHNICAL CORRECTIONS.**

18 *The Erie Canalway National Heritage Corridor Act*
19 *(title VIII of Appendix D of Public Law 106–554, 114 Stat.*
20 *2763A–295) is amended—*

21 (1) *in section 804(b)—*

22 (A) *by striking “27” and inserting “at least*
23 *21 members, but not to exceed 27”;*

24 (B) *in paragraph (2), by striking “Envi-*
25 *ronment” and inserting “Environmental”;*

1 (C) in paragraph (3), by striking “19”;

2 (D) in paragraph (3)—

3 (i) by striking subparagraph (A) and
4 redesignating subsequent subparagraphs ac-
5 cordingly;

6 (ii) in subparagraph (B) (as redesign-
7 ated by clause (i)), by striking the second
8 sentence; and

9 (iii) by adding after subparagraph (B)
10 the following new subparagraph:

11 “(C) The remaining members shall be based
12 on recommendations from each member of the
13 United States House of Representatives whose
14 district encompasses the Corridor, each of whom
15 shall be a resident of or employed within the dis-
16 trict from which they shall be recommended.”;

17 (2) in section 804(f), by striking “Fourteen
18 members of the Commission” and inserting “A major-
19 ity of the seated (sworn) Commissioners”;

20 (3) in section 804(g), by striking “14 of its mem-
21 bers.” and inserting “a majority of the seated (sworn)
22 Commissioners.”;

23 (4) in section 804(h)(4), by striking “staff to
24 carry out its duties;” and inserting “such staff as

1 *may be necessary to carry out its duties. Staff ap-*
2 *pointed by the Commission—*

3 *“(A) may be appointed subject to the provi-*
4 *sions of title 5, United States Code, governing*
5 *appointments in the competitive service; and*

6 *“(B) may be paid in accordance with the*
7 *provisions of chapter 51 and subchapter III of*
8 *chapter 53 of such title relating to the classifica-*
9 *tion and General Schedule pay rates;”;*

10 *(5) in section 804(j), by striking “10 years after*
11 *the date of enactment of this title” and inserting “15*
12 *years after the date of the enactment of this title”;*

13 *(6) in section 807(e), by striking “duties with re-*
14 *gard to the preparation and approval of the*
15 *Canalway Plan.” and inserting “duties.”;*

16 *(7) in section 807, by adding at the end the fol-*
17 *lowing:*

18 *“(f) OPERATIONAL ASSISTANCE.—Subject to the avail-*
19 *ability of appropriations, the Superintendent of Saratoga*
20 *National Historical Park may, on request, provide to public*
21 *and private organizations in the Heritage Area, including*
22 *the Commission, any operational assistance that is appro-*
23 *priate for the purpose of supporting the implementation of*
24 *the management plan.”; and*

1 (8) in section 810(a)(1), by inserting after the
2 *first sentence: “Such sums shall remain available*
3 *until expended.”.*

4 ***TITLE V—SENSE OF CONGRESS***
5 ***REGARDING FUNDING***

6 ***SEC. 5001. SENSE OF CONGRESS REGARDING FUNDING.***

7 *It is the sense of Congress that the Federal Government*
8 *should not fund a national heritage area in perpetuity.*

Union Calendar No. 242

110TH CONGRESS
1ST Session

H. R. 1483

[Report No. 110-388]

A BILL

To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes.

OCTOBER 18, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed